

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**March 15, 2005**

**TO:** Honorable Joe Nixon, Chair, House Committee on Civil Practices

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: HB8** by Nixon (Relating to civil claims involving exposure to asbestos and silica.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would add a chapter to Title 4 of the Civil Practice and Remedies Code, relating to civil claims involving exposure to asbestos and silica. The bill would adopt medically accepted standards for differentiating between individuals with asbestos-related or silica-related disease causing functional impairment and individuals with no functional impairment, and provide a method to dismiss lawsuits in which the exposed person had no functional impairment.

The bill would establish reporting requirements for claims involving asbestos-related injury, claims involving silica-related injury, and claims involving exposure to mixed dusts, and the bill would establish deadlines for serving reports. If a claimant did not provide a report in a timely manner or was not compliant with reporting requirements, the bill would establish dismissal procedures.

The bill may result in the dismissal of a number of civil suits based on exposure to asbestos or silica; however, the reduction in pending cases is not anticipated to have a significant fiscal implication to the state.

The bill would take effect immediately assuming it received the requisite two-thirds majority votes in both houses of the Legislature. Otherwise, the bill would take effect of the 91st day after the last day of the legislative session.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 201 Supreme Court of Texas, 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 307 Secretary of State, 503 Board of Medical Examiners, 582 Commission on Environmental Quality

**LBB Staff:** JOB, LB, ZS, TB, JM, NR