

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

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

**April 12, 2005**

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

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

**IN RE: HB125** by Berman (Relating to liability for injury arising from a motor vehicle accident.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Civil Practice and Remedies Code to prohibit recovery in addition to economic damages in certain civil actions relating to motor vehicle accidents. The bill requires the Department of Public Safety to post notice of the change in allowable civil recovery in facilities at which an in-person application for issuance or renewal of a license may be made. The Texas Education Agency (TEA) would be required to adopt a form advising students enrolled in TEA-approved driving safety courses of the change in allowable civil recovery.

The bill is an exercise of authority under Section 66(c), Article III, Texas Constitution, prescribing legislative authority to determine noneconomic liability, and requires a three-fifths vote of each house. The bill would take effect immediately if it receives a vote of two-thirds of each house, or September 1, 2005.

**Local Government Impact**

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

**Source Agencies:** 405 Department of Public Safety, 454 Department of Insurance

**LBB Staff:** JOB, LB, VDS, AM