

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 18, 2005

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

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

IN RE: HB616 by Callegari (Relating to liability of the state, a municipality, or a county for certain recreational activities.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would add bicycling, bicycling motocrossing, and soap box derby racing to the list of recreation activities that would be covered by Chapter 75 of the Civil Practice and Remedies Code. The bill would take effect immediately if it were to receive the required two-thirds vote in each house; otherwise, it would take effect September 1, 2005 and would apply only to a cause of action that accrues on or after the effective date.

Chapter 75, Civil Practice and Remedies Code provides liability protection for the state and local government when operating certain types of recreational facilities when designated warning signs are posted. The Parks and Wildlife Department estimate that the cost of new signs to be posted at each state park with bicycle trails would be \$14,000 (signs for 56 parks at \$250 per sign). Cities and counties would also incur costs of new signs; however, the additional liability protection would result in potential savings to the state and local government entities.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General, 802 Parks and Wildlife Department

LBB Staff: JOB, DLBa