

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 10, 2005

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

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

IN RE: HB1287 by Leibowitz (Relating to county abatement of a public nuisance.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend Chapter 343, Health and Safety Code, to expand a county's authority to address certain nuisance conditions and to authorize a county to use any money available under other law for a cleanup or remediation of private property to abate a nuisance.

The bill would also authorize a county to file a lawsuit to prohibit or control access to the premises to prevent continued or future violations regarding accumulating and discarding refuse. The court may not grant relief that prohibits or controls access by the owner or operator of a utility line or utility easement to that utility line or utility easement, but the court may prohibit a continued or future violation.

The bill would take effect September 1, 2005 and would apply only to a notice regarding a nuisance given on or after that date.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, DLBa