

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

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

**March 24, 2005**

**TO:** Honorable Ray Allen, Chair, House Committee on County Affairs

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

**IN RE: HB1287** by Leibowitz (Relating to county abatement of a public nuisance. ), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

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 a violator's 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.

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