

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

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

**March 24, 2005**

**TO:** Honorable Helen Giddings, Chair, House Committee on Business & Industry

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

**IN RE: HB1639** by Eiland (Relating to the authority of the attorney general to bring suit on behalf of individuals injured by unlawful practices in restraint of trade.), **As Introduced**

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

The bill would amend Subchapter C, Chapter 15, Business & Commerce Code, by adding Section 15.211. Section 15.211 would give the Attorney General authority to bring suit on behalf of a governmental entity and individuals residing in the state for damages incurred directly or indirectly because of a violation of restraint of trade.

The Act would take effect immediately if it receives a vote of two-thirds of all the members of each house; otherwise this Act takes effect on September 1, 2005.

The OAG anticipates any legal work resulting from the passage of this bill could be reasonably absorbed with current resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated. This bill would impose no additional expense on local government. The Attorney General is authorized to represent local governments for antitrust violations under the Texas Free Enterprise and Antitrust Act (TFEAA). It is anticipated that this bill would increase monetary recoveries on behalf of local governments, although the extent of such additional recovery is currently unknown.

**Source Agencies:** 302 Office of the Attorney General

**LBB Staff:** JOB, JRO, MS