

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 19, 2005

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

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

IN RE: HB2492 by Puente (Relating to the authority of certain persons to bring suit to require an appraisal district or appraisal review board to comply with applicable law.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would allow certain persons to bring lawsuits against the county appraisal district board or the appraisal review board to compel compliance with the Tax Code, Comptroller rules, and other applicable law.

A person would have standing to sue if the appraisal district's failure to comply causes or will cause substantial economic harm to or denial of a substantial right of the person. A person bringing action must pay \$500 into the court registry. The prevailing party would receive that amount following a final judgment in the action.

Under current law, only taxing units have authority to file suit to compel compliance. It is assumed that the additional authority would not result in significant changes in taxable property values. Therefore, no significant fiscal implication to the State is anticipated.

Local Government Impact

Passage of the bill could increase litigation costs in defending additional lawsuits for local governments that fund appraisal districts. Some of the costs could be offset by the plaintiffs' deposits.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, DLBa, SD, WP, DLBe