

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 12, 2005

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways & Means

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 to comply with applicable law.), **As Introduced**

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| <p>No significant fiscal implication to the State is anticipated.</p> |
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The bill would allow certain persons to bring lawsuits against the county appraisal district board and 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 prejudiced a substantial right of the person. Before initiating a lawsuit, the plaintiff would deposit \$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, SD, WP, DLBe