

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 10, 2005

TO: Honorable Will Hartnett, Chair, House Committee on Judiciary

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

IN RE: HB3415 by Hughes (Relating to transfer of certain cases by the judicial panel on multidistrict litigation.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 74 of the Government Code to prohibit the judicial panel on multidistrict litigation from transferring an action for personal injury resulting from an asbestos-related injury prior to a certain number of days after the claim is filed and in actions where (1) the claim is based on an allegation that the claimant developed malignant mesothelioma; (2) the claimant submits evidence that the claimant has been diagnosed with malignant mesothelioma; and (3) the claimant is living. The restrictions on transfers would not apply to actions in which the claimant has died before the trial on the merits begins.

To the extent the bill would result in more pre-trial proceedings being conducted in district courts rather than consolidated for multidistrict litigation, no significant fiscal implication to the State is anticipated.

Local Government Impact

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

Source Agencies: 201 Supreme Court of Texas, 212 Office of Court Administration, Texas Judicial Council

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