

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 30, 2005

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

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

IN RE: SB890 by Williams (Relating to the amount of recovery in a civil action.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 33 of the Civil Practices and Remedies Code relating to the amount of recovery in a civil action. The bill would provide that the current method for determining the settlement credit in a health care liability claim would be applicable to all civil claims. In a health care liability claim, the claimant's recovery is reduced by either an amount equal to the sum of the dollar amounts of all settlements or a percentage equal to each settling person's percentage of responsibility, as elected by the defendant. Because the bill would relate to the calculation of a plaintiff's recovery in a civil action, no significant fiscal implication to the State is anticipated.

The bill would take effect September 1, 2005.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General

LBB Staff: JOB, SR, ZS, TB