

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

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

**April 29, 2005**

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

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

**IN RE: SB1128** by Hinojosa (Relating to liability of the state for a violation of the federal Americans with Disabilities Act.), **As Introduced**

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

This bill would amend the Texas Tort Claims Act to waive the sovereign immunity of a state entity for a violation of the federal Americans with Disabilities Act (ADA). The suit must be filed in a state district court. The state would be liable for money damages not to exceed \$250,000 per person and \$500,000 for each single occurrence. The bill would take effect on September 1, 2005.

Passage of the bill could result in new complaints and cases by the Office of the Attorney General; however, it is projected that this increase could be absorbed by current resources.

**Local Government Impact**

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

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

**LBB Staff:** JOB, SR, MS