

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 20, 2007

TO: Honorable Byron Cook, Chair, House Committee on Civil Practices

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

IN RE: HB26 by Corte, Frank (Relating to liability for injury arising from a motor vehicle accident.),
As Introduced

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code by providing that a person can not obtain non-economic or exemplary damages in a civil suit arising out a motor vehicle accident if the person was convicted of operating a motor vehicle while intoxicated at the time of the accident or if the person was operating a motor vehicle while knowingly not meeting the requirements of financial responsibility under the Transportation Code. The bill would require insurers to provide notice to policyholders of the changes, would require the Department of Public Safety (DPS) to post notice of the changes, and would require providers of driver safety courses approved by the Texas Education Agency (TEA) to notify each driving safety student of the provisions of this legislation.

Based on the analysis of the Texas Department of Insurance, Central Education Agency, and the Department of Public Safety, it is assumed that costs associated with implementing the provisions of the bill could be covered from existing resources.

The bill would take effect immediately upon receiving a two-thirds vote in each house, otherwise the bill would take effect September 1, 2007.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 454 Department of Insurance, 701 Central Education Agency

LBB Staff: JOB, MN, MW, SK, LG