

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 9, 2007

TO: Honorable Kevin Bailey, Chair, House Committee on Urban Affairs

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

IN RE: HB1473 by Turner (Relating to the waiver of sovereign immunity of a political subdivision for claims brought by certain employees.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would add Section 180.006 to Chapter 180 of the Local Government Code to waive sovereign or governmental immunity to allow firefighters or police officers covered by certain civil service provisions to bring suit for recovery of monetary benefits associated with back pay. Damages would be limited to the extent of liability for the monetary benefits or damages. Before filing suit, a firefighter or police officer would be required to initiate actions through any grievance or appeal procedures in place. A party dissatisfied with the final grievance or appeal decision would be allowed to obtain judicial review.

The bill would take effect immediately if it were to receive the required two-thirds vote in each house; otherwise, it would take effect September 1, 2007. The bill would apply only to a claim asserted on or after the effective date.

Local Government Impact

The fiscal impact to a local governmental entity would depend on how many such suits occur, whether the suit is lost, and if so how much back pay is owed. There would also be legal costs associated with defending the local government. However, because of the limitations placed by the provisions of the bill and the likelihood of a minimal number of such suits, no significant fiscal impact is anticipated.

Source Agencies:

LBB Staff: JOB, DB