

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 28, 2007

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

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

IN RE: SB871 by Uresti (Relating to the enforcement of civil penalties against certain assisted living facilities.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Sections 247.045 (d) and (e) of the Health and Safety Code and adds Subsection (h). Language added to Section 247.045(d) clarifies the provision that if the Attorney General (OAG) fails to notify the Department of Aging and Disability Services (DADS) within thirty days that the OAG will accept the case, the DADS can refer the case to other named prosecuting entities. The new section 247.045 (h) states if a person, who is found liable under this section, fails to pay the amount obligated, the state may seek payment from any owner, other controlling person, or affiliate of the person who was found liable.

The DADS indicated that implementation of the provisions of the bill would have no fiscal impact to the agency. The OAG indicated that any additional work resulting from the passage of the bill could be reasonably absorbed with current resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 539 Aging and Disability Services, Department of

LBB Staff: JOB, CL, PP, ML, KJG