

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

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 23, 2007**

**TO:** Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

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

**IN RE: SB1015** by Whitmire (Relating to the application of the doctrine of sovereign immunity in a judicial proceeding to enforce certain employment rights.), **As Introduced**

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

The bill would amend Chapter 271, Local Government Code, to waive sovereign immunity of a local governmental entity that is governed by state statute or local ordinance affecting employment rights of the governmental entity's employees. The total amount of money awarded in an employment rights suit would be limited to the amount necessary to make the affected individual whole, and interest as allowed by law. Under the proposed change to statute, attorney's fees incurred by a local governmental entity in an employee rights suit shall not be awarded to any party in the adjudication unless otherwise authorized by other statute.

**Local Government Impact**

A local governmental entity that is the subject of an applicable lawsuit would incur its own attorneys fees and other costs related to defending itself in court against the lawsuit, and if the complainant were to prevail, the costs of the judgment to make the affected individual whole, plus interest. The costs would vary, depending on each individual case and decisions made by the court.

**Source Agencies:**

**LBB Staff:** JOB, MN, DB