

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 25, 2009

TO: Honorable Todd Smith, Chair, House Committee on Elections

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

IN RE: HB248 by Alonzo (Relating to the protection of the rights of Texas voters without regard to race, color, ethnicity, or membership in a language minority group.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code relating to the protection of the rights of Texas voters without regard to race, color, ethnicity, or membership in a language minority group. The bill would authorize a cause of civil action to determine whether any state law, rule, regulation, order, ordinance, practice, or procedure of a political subdivision may deny or abridge the right of an individual to vote on account of race, color, ethnicity, or language minority group. The Office of the Attorney General (OAG) indicates the State could see an increase in litigation due to the use of the broad terms "practice or procedure of a political subdivision," for such issues relating to any asserted language barriers to the voting practice. The OAG indicates that five to ten cases could be filed per year as the result of passage of the bill, and any additional legal work could be absorbed within current resources. Accordingly, to the extent the bill would amend court procedures to create new causes of action, no significant increase in OAG or judicial workloads or fiscal implication to the State is anticipated. The bill would take effect September 1, 2009.

Local Government Impact

Costs to district courts to implement the provisions of the bill would vary depending on the number of cases filed; however, those costs are not anticipated to be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General

LBB Staff: JOB, TP, TB