

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 13, 2009

TO: Honorable Todd Hunter, Chair, House Committee on Judiciary & Civil Jurisprudence

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

IN RE: HB556 by Kuempel (Relating to payment of attorney's fees in certain actions to recover possession of real property.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code relating to payment of attorney's fees in certain actions to recover possession of real property. No significant fiscal implication to the State is anticipated as the bill requires a court to award costs and reasonable attorney's fees to the prevailing party, rather than making such awards permissive. The bill would take effect September 1, 2009.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. In a suit for the possession of real property, the bill would require payments of costs and reasonable attorney's fees to the prevailing party.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, TB, MN, TP, JP