

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION
Revision 1

May 8, 2009

TO: Honorable Burt R. Solomons, Chair, House Committee on State Affairs

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

IN RE: HB751 by Callegari (Relating to the liability of certain public utilities that allow recreational use of land that the public utility owns, occupies, or leases.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code to provide immunity from liability to certain public utilities that, as the owner, occupant, or lessee of land, gives permission to a person to enter the premises for recreation. The public utility would be required to post a sign warning that the utility is immune from liability for damages arising from the use of the property for recreational purposes. The bill would affect only a public utility located in a municipal management district located in a municipality with a population of more than 1.9 million.

Provisions of the bill would apply only to a cause of action that accrues on or after the effective date of the bill. The bill would take effect immediately if it were to receive the required two-thirds vote in each house of the legislature; otherwise, it would take effect September 1, 2009.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, KJG, DB