

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 4, 2009

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

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

IN RE: HB783 by Pickett (Relating to the liability of a public utility that allows recreational use of land that the public utility owns, occupies, or leases.), **As Introduced**

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 certain river authorities and counties.

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

Protection from liability could provide an unknown but possibly significant savings in the event damages were to occur for which the utility would otherwise be liable for the costs to mitigate those damages.

Source Agencies:

LBB Staff: JOB, KJG, DB