

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

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 21, 2009**

**TO:** Honorable Edmund Kuempel, Chair, House Committee on Licensing & Administrative Procedures

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

**IN RE: HB3867** by Frost (Relating to allocation of responsibility for damages arising out of the sale or service of alcoholic beverages.), **As Introduced**

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| <b>No significant fiscal implication to the State is anticipated.</b> |
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The bill would amend the Alcoholic Beverage Code by adding Section 2.04 to indicate a provider of alcoholic beverages is jointly and severally liable for damages in an action under the Alcoholic Beverage Code, notwithstanding Chapter 33, Civil Practice and Remedies Code. The bill's provisions would only apply to an action commenced on or after the effective date of the bill. The bill would take effect immediately if it receives a two-thirds vote of all the members in each house, otherwise it would take effect on September 1, 2009.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 458 Alcoholic Beverage Commission

**LBB Staff:** JOB, JRO, GG, ESi