

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 6, 2009

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

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

IN RE: HB4293 by Branch (Relating to notice to the attorney general of an action, suit, or proceeding challenging the validity of a Texas statute or rule.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code relating to notice to the attorney general of an action, suit, or proceeding challenging the validity of a Texas statute or rule. The bill would require that a party or amicus curiae give notice to the attorney general of any challenge to the validity of a state statute or state agency rule if the state is not a party to the lawsuit. If the party or amicus curiae fails to give notice, then the court in which the challenge is asserted must provide notice to the attorney general. To the extent the rules change would modify court procedure, the reporting requirement is not anticipated to materially increase the workload of the court system.

The bill would take effect immediately if it receives a two-thirds vote from both houses. If it does not receive the necessary two-thirds votes, the bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

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

LBB Staff: JOB, MN, JP