

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

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

**April 14, 2009**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on State Affairs

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

**IN RE: SB1162** by Hegar (Relating to notice to the attorney general of an action, suit, or proceeding challenging the validity of a Texas statute or rule.), **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 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, 302 Office of the Attorney General

**LBB Staff:** JOB, KJG, JP, MN