

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 22, 2009

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

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

IN RE: SB1201 by Carona (relating to an affidavit required to be filed in a cause of action against certain licensed or registered professionals.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would re-enact Section 150.001 and Section 150.002 of the Civil Practice and Remedies Code, and would add registered landscape architect to the definitions of licensed or registered professionals.

The bill would require an affidavit of a third-party licensed architect, licensed professional engineer, registered landscape architect, or registered professional land surveyor to be filed in actions and arbitrations alleging professional negligence by a licensed or registered professional. The bill would require an affidavit to specify for each negligent act, error, or omission, including an error or omission for advice, judgement, or opinion in providing a professional service, the factual basis for the claim. The bill would also add filing requirements for the plaintiff. The bill would take effect September 1, 2009.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, MN, TP, KJG