

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 31, 2011

TO: Honorable Jim Jackson, Chair, House Committee on Judiciary & Civil Jurisprudence

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

IN RE: HB911 by Berman (Relating to the application of foreign laws and foreign forum selection in this state.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Civil Practice and Remedies Code to provide that a ruling of a court, arbitrator, or administrative adjudicator may not be based on a law of a jurisdiction outside of the United States ("foreign law") if the application of the law would violate a right guaranteed by the United States or Texas Constitutions. The bill also provides that a contract provision requiring the use of foreign law or a foreign forum in a dispute under the contract is void if application of the foreign law would violate a right guaranteed by the United States or Texas Constitutions. Finally, the bill prohibits removing an action filed in Texas by a Texas resident to another forum if application of the foreign law to be applied in the other forum would violate a right guaranteed by the United States or Texas Constitutions. The bill is not expected to cause a significant increase in the number of cases heard in the state courts. Consequently, no significant impact on the state court system is anticipated. The bill would take effect September 1, 2011.

Local Government Impact

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

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

LBB Staff: JOB, JT, TB, KKR