

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 8, 2011

TO: Honorable Ryan Guillen, Chair, House Committee on Culture, Recreation & Tourism

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

IN RE: HB1450 by Guillen (Relating to Parks and Wildlife Department tort liability relating to a volunteer's operation of a department vehicle.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend portions of the Parks and Wildlife Code relating to volunteer services. The bill would provide that a volunteer acting under the direction of the Texas Parks and Wildlife Department (TPWD) is considered an employee for purposes of tort liability under §101.021 of the Government Code. TPWD indicates costs in tort claims vary from minor personal property claims of a few hundred dollars to potentially several hundred thousand dollars for a personal injury claim. To the extent the bill would result in additional future costs arising from volunteer negligence, the fiscal implication of covering the action of volunteers as well as department employees in such claims is not anticipated to be significant. The bill would take immediate effect if the bill receives two-thirds the vote of all members in both houses. Otherwise, the bill would take effect September 1, 2011.

Local Government Impact

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

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, KM, TB