

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

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**March 5, 2011**

**TO:** Honorable Allan Ritter, Chair, House Committee on Natural Resources

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

**IN RE: HB1751** by Hartnett (Relating to payment by a water control and improvement district for certain damages caused by the district's operation of a sanitary sewer system.), **As Introduced**

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| <b>No fiscal implication to the State is anticipated.</b> |
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The bill would amend the Water Code to authorize a water control and improvement district to pay actual property damage caused by the backup of the district's sanitary sewer system regardless of liability under Chapter 101 of the Civil Practice and Remedy Code. The bill also would not waive governmental immunity from suit or liability.

**Local Government Impact**

There could be a significant fiscal impact to a water control and improvement district that was authorized to pay the costs of actual property damage as a result of a backup, but it would vary depending on the number of backups that occurred in a district.

In addition, there could be a significant fiscal impact to a district that would be liable for a suit or liability, but it would vary depending on the number of suits filed and the outcome of the suit.

**Source Agencies:**

**LBB Staff:** JOB, SZ, TP