

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 6, 2011

TO: Honorable Chris Harris, Chair, Senate Committee on Jurisprudence

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

IN RE: HB3174 by Madden (Relating to the stay of recognition or enforcement of a foreign country judgment to allow for de novo review of a contract or agreement for a sale, offer for sale, or sell under The Securities Act.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
--

The bill would amend the Securities Act to provide for "de novo" review for the recognition or enforcement of a foreign judgment. The request for de novo review must be filed within 30 days from the date of service. The filing for de novo review invokes automatic stay as to recognition and enforcement until a de novo judgment is entered. Although the bill calls for the trial court's de novo review, according to the Office of Court Administration, this is not the type of action that most consumes court time and should not be unduly burdensome on the courts. Consequently, no significant fiscal impact to the court system or the state is anticipated. 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: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, JT, TB