

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 25, 2011

TO: Honorable Rene Oliveira, Chair, House Committee on Land & Resource Management

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

IN RE: HB3534 by Kleinschmidt (Relating to liability of a political subdivision for a violation of certain laws relating to local permits.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to hold a political subdivision liable for damages for a violation of certain laws relating to the issuance of local permits, including adopting certain new regulations or amendments after a permit is issued. Under current statute, a political subdivision's immunity is waived, but is limited to mandamus, declaratory or injunctive relief.

Local Government Impact

There could be a significant negative fiscal impact to a political subdivision, but the amounts would vary depending on the number of violations committed and the damages awarded.

According to the Texas Municipal League (TML), there could be significant costs to municipalities resulting from an increase in litigation and damages.

Source Agencies:

LBB Staff: JOB, SZ, TP