

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 19, 2013

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB200 by Murphy (Relating to liability of certain electric utilities that allow certain uses of land that the electric utility owns, occupies, or leases.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code to allow an appeal from certain interlocutory orders denying motions for summary judgment filed in certain suits relating to the liability of an electric utility. The bill specifies that municipal management districts located in a municipality with a population of more than 1.9 million are not subject to a statutory provision specifying the limited liability of certain public utilities.

The bill would add a new section to the Civil Practice and Remedies Code applicable to utilities located in counties with a population of four million or more. The new section allows electric utilities to enter into written agreements with political subdivisions to allow public access to certain premises; specifies the duties owed under such agreements; and limits the liability potentially resulting from such premises access.

The bill would take effect immediately if receiving a two-thirds vote of each house; otherwise the bill would take effect September 1, 2013.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 473 Public Utility Commission of Texas

LBB Staff: UP, AG, CL, AM, RB, KKR