

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 1, 2013**

**TO:** Honorable Tan Parker, Chair, House Committee on Corrections

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB2442** by Parker (relating to a pre-suit deposition in inmate litigation. ), **Committee Report 1st House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Civil Practice and Remedies Code to require that a court determine whether an inmate's petition for a pre-suit deposition is frivolous or malicious, and if so, deny the petition. This bill may produce minimal positive fiscal impact as a result of the reduction of costs, expenses, and resources potential defendants would have expended or would have been attributable to having to proceed pursuant to Rule 202 of the Texas Rules of Civil Procedure. However, the Office of Court Administration cannot determine the amount. The Office of Attorney General and the Comptroller's Office report that the bill will have no fiscal impact to their agencies.

The change in law would apply only to petitions filed on or after the bill's effective date. The bill would take effect September 1, 2013.

**Local Government Impact**

A minimal positive fiscal implication to units of local government is anticipated as a result of a reduction of costs local potential defendants would have had to expend.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts

**LBB Staff:** UP, AM, ESj, TB