

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 12, 2013

TO: Honorable Tryon D. Lewis, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2935** by Hunter (Relating to the interlocutory appeal of a denial of a motion to dismiss in an action involving the exercise of certain constitutional rights.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code to allow an appeal from an interlocutory order denying a motion to dismiss based on the exercise of certain constitutional rights. The bill would repeal the Civil Practice and Remedies Code Section 27.008(c) relating to the timeline for certain appeals. The Office of Court Administration reports that although the bill may increase the number of appeals to the district court, no significant fiscal impact to the court system is anticipated.

The change in law would apply only to a denial of a motion to dismiss made after the bill's effective date. 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

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, TB, CL, AM