

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

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

**April 14, 2013**

**TO:** Honorable René Oliveira, Chair, House Committee on Business & Industry

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

**IN RE:** **HB3316** by Keffer (Relating to an account for construction retainage; providing a civil penalty.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill provides when funds must be deposited into a construction trust fund or a bond in lieu of a trust fund account obtained by the property owner. The bill also amends the affirmative defenses available to prosecution related to construction payments and loan receipt trust funds brought under current Property Code Sec. 162.001(a) and (b) and provides an affirmative defense to prosecution brought under the proposed Property Code Sec. 162.001(c).

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

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

**LBB Staff:** UP, RB, SJS