

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 15, 2015

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1492 by Miller, Doug (Relating to consideration of asbestos or silica trust claims in certain actions asserting asbestos- or silica-related injuries.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code to require certain pending actions related to asbestos and silica-related injuries to be dismissed on certain dates by the multi-district litigation (MDL) pretrial court. The bill would define "asbestos or silica trust" as a trust established pursuant to a plan of reorganization under the US Bankruptcy Code for a debtor with massive asbestos liabilities. The bill would define various terms and procedures for filing a claim asserting an asbestos or silica-related injury with a trust and serving notice of such a claim. The bill would also provide sanctions for a claimant's failure to provide notice in a pending suit of a prior claim filed and compensation received from an asbestos or silica trust. In addition, the bill would further provide procedures for stay of a pending suit involving an asbestos or silica-related injury (including appropriate motions and responses) while the claimant makes a claim against an asbestos or silica trust.

Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

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, AG, MW, GDz, FR