

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 24, 2015

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1784 by Workman (Relating to damages in an action arising out of a deficiency in the construction or repair of an improvement to real property.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code regarding damages in an action for a deficiency in the construction or repair of a real property improvement. The bill would provide that the amount of actual damages that may be recovered from the person who originally designed, constructed, or repaired an improvement on real property would be reduced ten percent per year between the substantial completion of the construction or repair and the date that the action was filed. In addition, the bill would provide that any award of exemplary or multiplied damages based on the cost to cure the construction defect would also reflect the ten percent reduction per year. 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, FR, GDz