

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 11, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2128 by Cyrier (Relating to adjudication of claims arising from certain written contracts with state agencies.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code to remove references to express and written provisions for certain contracts with state agencies. The bill would clarify that a plaintiff seeking recovery against a state agency may recover the amount owed for change orders or additional work the contractor is directed to perform in connection with the contract, in addition to other damages available under the contract. The bill would allow a court to award attorneys fees and would allow the recovery of consequential damages related to certain delays or acceleration. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using 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, LBO, PBO