

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 11, 2017

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3387 by King, Ken (Relating to a defense against a libel claim based on the claimant's status as a public official or public figure.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code to address libel claims brought by public officials and public figures. The bill would clarify that any defense based on the claimant's status as a public official or public figure is an affirmative defense that requires the defendant to plead and prove the specific manner in which the alleged libel identified the claimant's status or the specific manner in which the alleged libel expressly related to the claimant's official conduct, performance of official duties, or fitness for the office held. The bill would specify that a person is considered a public official for purposes of a defense to libel only if the person is known as a public official in the community in which the damage to the person was proximately caused. 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, GDz