

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

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 22, 2017**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate

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

**IN RE: SB813** by Hughes (Relating to recovery of damages, attorney's fees, and costs related to frivolous regulatory actions by state agencies.), **As Passed 2nd House**

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

The bill would amend the Civil Practice and Remedies Code to expand the scope of an existing cause of action to allow for recovery of damages, reasonable attorney's fees, and court costs for any regulatory action where the private party prevailed in judicial review of the contested regulatory action if the agency or political subdivision fails to demonstrate good cause for that action in certain circumstances. Based on the analysis of the Office of Court Administration and the Office of the Attorney General, 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, 302 Office of the Attorney General

**LBB Staff:** UP, LBO, AG, MW, GDz