

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 3, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SJR6 by Zaffirini (Proposing a constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional.), **As Engrossed**

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$114,369.

The resolution would amend the Constitution to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute limited to cases in which a litigant files a petition, motion, or other pleading challenging the constitutionality of a statute, and authorizes the Legislature to establish a period following the provision of that notice not to exceed 45 days during which the court may not enter a judgment holding the statute unconstitutional.

This resolution would be submitted to voters at an election to be held on November 7, 2017. If the resolution passes then the constitutional amendment would take effect on January 1, 2018. The cost to the state for publication of the resolution is \$114,369 in fiscal year 2018.

Based on the analysis of the Office of Court Administration and Office of the Attorney General, duties and responsibilities associated with implementing the provisions of the resolution 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, AG, GDz, LBO