

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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 17, 2019**

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

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE:** **HB1211** by Darby (relating to the acquisition of, and the construction of improvements to, real property.), **Committee Report 2nd House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend various sections of the Property Code related to acquisition of real property by a private entity with eminent domain authority and various sections of the Civil Practice and Remedies Code related to liability provisions and standards of care for engineers and architects in certain construction contracts.

According to the Office of Court Administration (OCA), no significant fiscal impact to the State is anticipated.

According to the Office of the Attorney General, no fiscal implication to the State is anticipated.

According to the Railroad Commission, no fiscal implication to the State is anticipated.

According to the Public Utility Commission, the bill would have no significant fiscal impact on the agency and any provisions of the bill could be accomplished within existing resources.

According to the Department of Transportation (TxDOT), a fiscal impact from the provisions of the bill related the practice of engineering and architecture cannot be determined; however, no significant fiscal impact is anticipated. Most TxDOT claims against contractors are handled through TxDOT's contracts claims process. TxDOT's Engineering/Architecture contracts' indemnification provisions would remain enforceable against an Engineer.

**Local Government Impact**

According to OCA, no significant fiscal impact to local courts is anticipated.

According to the Railroad Commission, no 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, 473 Public Utility Commission of Texas, 601

Department of Transportation, 460 Board of Professional Engineers, 455  
Railroad Commission

**LBB Staff:** WP, DFR, CMa, SLE, SGr, SZ, SD, GP