

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 15, 2019

TO: Honorable Tom Craddick, Chair, House Committee on Land & Resource Management

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

IN RE: HB2839 by Muñoz, Jr. (Relating to the apportionment of infrastructure costs in regard to certain property development projects.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Local Government Code and the Utilities Code to establish a process by which a developer may appeal the apportionment of infrastructure costs by a county, municipality, or electrical cooperative to the board of that entity. The bill provides that the decision of that board may be appealed to a county or district court.

According to the Office of Court Administration (OCA), although the bill would allow for the appeal of certain determinations related to development projects, any new case volume driven by the bill could be absorbed by existing resources. No significant fiscal impact to the state court system is anticipated.

Local Government Impact

According to OCA, although the bill would allow for the appeal of certain determinations related to development projects, any new case volume driven by the bill could be absorbed by existing resources. No significant fiscal impact to local courts is anticipated.

According to the Texas Association of Counties, the bill could result in additional costs to counties incurred as a result of litigation but these costs cannot be determined.

According to the Texas Municipal League, it is unknown how many appeals would be brought, or the disposition of them, but the bill could be costly for cities due to the provision that if the developer prevails they would be entitled to attorney and witness fees. This remedy is not available if the city prevails.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: WP, SZ, SD, GP