

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

Revision 1

April 12, 2021

TO: Honorable Chris Turner, Chair, House Committee on Business & Industry

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1647 by Walle (relating to the confidentiality of eviction case information for evictions related to the COVID-19 pandemic.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Property Code to require court clerks, in certain eviction cases in which an order making the case information confidential has not been entered, to allow access to certain case information to certain parties.

The bill would also require courts to, concurrent with a final judgment or dismissal in an eviction case or on petition of a defendant in an eviction case, enter an order making the eviction case information pertaining to the defendant confidential after a final judgment or dismissal in the case under certain circumstances.

The bill would make a person liable to an injured party for damages and reasonable attorney's fees for knowingly violating the disclosure restrictions. The bill would also direct a court to award certain exemplary damages to the injured party irrespective of whether actual damages are awarded. The bill would direct the Supreme Court of Texas to adopt rules necessary to implement the provisions of the bill.

Based on information provided by the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished utilizing existing resources. In addition, no significant fiscal impact to the state court system is anticipated as a result from implementing the provisions of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, SZ, MW, BH