

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 23, 2021

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2788 by Leach (Relating to civil actions or arbitrations involving transportation network companies.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code to provide that, at the time a claimant initially names a transportation network company as a party in certain actions or proceedings, the claimant must, as applicable, file with the petition or provide to the arbitration tribunal and each other party a certain affidavit.

The bill would limit when the contemporary filing requirement applies and requires the claimant to supplement the pleadings with the affidavits within a certain number of days. The bill would require a court or tribunal to dismiss with prejudice a complaint filed with respect to which the claimant failed to file the required affidavit. The bill would provide that a transportation network company cannot be held vicariously liable for damages under the bill's provisions if the company did not commit a crime under state or federal law and has fulfilled all the company's obligations with respect to the company driver under Occupations Code Chapter 2402.

Based on information provided by the Office of Court Administration, 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, SLE, MW, BH