

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 12, 2021

TO: Honorable Jane Nelson, Chair, Senate Committee on Finance

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1794 by West (Relating to a statewide opioid settlement agreement.), **As Introduced**

The fiscal implications of the bill cannot be determined at this time. The bill would amend Chapter 403 of the Government Code by adding a new Subchapter R related to a statewide opioid settlement agreement (settlement). The bill would provide that any funds received from a settlement must be distributed in accordance with the term sheet agreed to by this state and the political subdivisions of this state. Funds obtained in future settlement agreements cannot be estimated at this time.

The bill would amend Chapter 403 of the Government Code by adding a new Subchapter R related to a statewide opioid settlement agreement. The bill would provide that any funds received from a statewide opioid settlement must be distributed in accordance with the term sheet as defined in the bill.

The bill would establish the Texas Opioid Council (council) to manage the distribution of funds from the opioid abatement fund according to a statewide opioid settlement agreement. The council would be administratively attached to the Comptroller's office and the Comptroller would be required to provide the necessary staff and facilities to the council.

The bill would require a court to permanently dismiss any claim against a released entity brought by a governmental entity, as defined by Subchapter R.

Funds obtained in future settlement agreements cannot be estimated at this time.

The Attorney General's office and Office of Court Administration anticipate that any additional work resulting from the passage of the bill could be reasonably absorbed within current resources. The Comptroller indicates that the term sheet referenced in the bill contemplates that the Comptroller's office will receive up to 1 percent from the Texas Opioid Abatement Fund for reasonable expenses related to the administration of the Council, including providing for staff salaries, and the agency would require an appropriation to expend these funds for that purpose.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement 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, 302 Office of the Attorney General, 304 Comptroller of Public Accounts

LBB Staff: JMc, KK, LCO, MBO, SLE, AF