

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 21, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3515 by Dunnam (Relating to the creation of the offense of failure to report barratry and solicitation of employment.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code to create as a Class C misdemeanor offense the act by a lawyer, during the course of representing a client, of failing to report a person, other than a lawyer subject to the Texas Disciplinary Rules of Professional Conduct while acting on behalf of a lawyer, when there is knowledge that would reasonably cause one to believe a lawyer has engaged in barratry and solicitation of professional employment. The bill would take effect immediately if it were to receive the required two-thirds vote in each house; otherwise, it would take effect September 1, 2009.

The punishment for a Class C misdemeanor is a fine not to exceed \$500. It is anticipated that costs associated with enforcement would be insignificant, as would revenue collected from fines and court costs.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, SD, DB, MN, ESI