

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 14, 2009**

**TO:** Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

**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.), **Committee Report 2nd House, Substituted**

**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, DB, MN, ESi