

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 3421-01  
BILL NO.: SB 776  
SUBJECT: Courts; Licensed Professionals  
TYPE: Original  
DATE: February 19, 2000

**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON STATE FUNDS</b>                  |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2001    | FY 2002    | FY 2003    |
|   |            |            |            |
|   |            |            |            |
| <b>Total Estimated Net Effect on <u>All</u> State Funds</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

| <b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>                  |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2001    | FY 2002    | FY 2003    |
|   |            |            |            |
|   |            |            |            |
| <b>Total Estimated Net Effect on <u>All</u> Federal Funds</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

| <b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b> |            |            |            |
|--|------------|------------|------------|
| FUND AFFECTED                              | FY 2001    | FY 2002    | FY 2003    |
| <b>Local Government</b>                    | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 3 pages.

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Office of the Attorney General, Office of the State Courts Administrator, Department of Transportation, Department of Economic Development, Department of Insurance, Department of Labor and Industrial Relations, and Department of Natural Resources** assume the proposed legislation would have no fiscal impact on their agencies.

|  |                             |                |                |
|--|-----------------------------|----------------|----------------|
| <b><u>FISCAL IMPACT - State Government</u></b> | <b>FY 2001<br/>(10 Mo.)</b> | <b>FY 2002</b> | <b>FY 2003</b> |
|  | \$0                         | \$0            | \$0            |
| <b><u>FISCAL IMPACT - Local Government</u></b> | <b>FY 2001<br/>(10 Mo.)</b> | <b>FY 2002</b> | <b>FY 2003</b> |
|  | \$0                         | \$0            | \$0            |

**FISCAL IMPACT - Small Business**

The proposed legislation would possibly have a fiscal impact on licensed architects, professional engineers, land surveyors, or any corporations authorized to render any of the aforementioned professional services.

**DESCRIPTION**

The proposed legislation requires the plaintiff, in an action against a licensed professional, to file an affidavit with the court stating that the plaintiff obtained the written opinion of a legally qualified like licensed professional. The statement made by the licensed professional should state that the defendant licensed professional failed to use such care as a reasonably prudent and careful licensed professional would have under similar circumstances. The affidavit should be filed within ninety days of the filing of the petition. The case may be dismissed if the plaintiff or his attorney fails to file such affidavit. The proposal does not apply to actions filed in small claims court.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

**SOURCES OF INFORMATION**

KAF:LR:OD:005 (9-94)

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Office of the Attorney General  
Office of the State Courts Administrator  
Department of Transportation  
Department of Economic Development  
Department of Insurance  
Department of Labor and Industrial Relations  
Department of Natural Resources

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is written in a cursive style with a large initial "J".

Jeanne Jarrett, CPA

Director

February 19, 2000