

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1020-01  
Bill No.: SB 0260  
Subject: Courts; Licenses - Professional  
Type: Original  
Date: January 29, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<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 State Courts Administrator** and the **Department of Transportation** assume the proposed legislation would have no fiscal impact on their agencies.

In response to a similar proposal in the prior session, officials from the **Office of the Attorney General, Department of Economic Development, Department of Insurance, Department of Labor and Industrial Relations, and Department of Natural Resources** assumed the proposed legislation would have no fiscal impact on their agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

The proposed legislation requires the plaintiff, in an action against a licensed architect, surveyor, or engineer, 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 must 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 must be filed within ninety-five days of the filing of the petition. The case may be dismissed if the plaintiff or his attorney fails to file such affidavit. A separate affidavit must be filed for each defendant named in the petition. 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

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



Jeanne Jarrett, CPA  
Director  
January 29, 2001