

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3044-01
Bill No.: SB 637
Subject: Disabilities; Federal – State Relations; Civil Procedure
Type: Original
Date: January 7, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Administration – Division of Facilities Management** assumes the proposed legislation would have no fiscal impact on their agency.

Officials from the **Office of Attorney General** assume the costs related to this proposal could be absorbed with existing resources.

Officials from the **Office of State Courts Administrator (CTS)** assume the proposed legislation would waive the state's sovereign immunity and permit suits against the state under the federal Americans with Disabilities Act. CTS assumes that suits would be filed in state court and there may be some increase in the number of cases filed. However, CTS has no way of estimating that increase at this time and do not anticipate that it would be substantial enough to require a budget increase in the courts.

Oversight assumes that prior to the recent U.S. Supreme Court decision, cases could be filed in state court. Oversight assumes that this proposal allows such cases to be filed in state court. Based on these assumptions and the assumptions provided by the CTS, Oversight assumes the administrative impact of this proposal is \$0.

<u>FISCAL IMPACT - State Government</u>	FY 2003	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2003	FY 2004	FY 2005
	<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

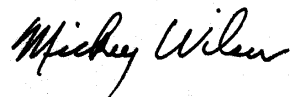
The proposed legislation would grant limited consent by the state to be sued under the Americans with Disabilities Act (ADA) in state courts, subject to monetary limits, which shall not include punitive damages.

The proposal contains an emergency clause.

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 Administration – Division of Facilities Management
Office of State Courts Administrator
Office of Attorney General



Mickey Wilson, CPA
Director

January 7, 2002