

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 15, 2007

TO: Honorable Will Hartnett, Chair, House Committee on Judiciary

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

IN RE: HB1295 by Hartnett (Relating to filing fees for certain actions filed in a court with probate jurisdiction.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code by creating a supplemental court-initiated guardianship fee for the support of the judiciary in guardianships initiated under Section 683, Texas Probate Code. The fee would be \$20, would be collected by the court clerk, and would be imposed in certain probate original actions and adverse probate actions. The fee would be deposited in a court-initiated guardianship fund in the county treasury for use to supplement, not supplant, paying for compensation of a court-appointed guardian ad litem or of a court-appointed attorney ad litem and to fund local guardianship programs that provide guardians for indigent incapacitated persons who do not have family members suitable and willing to serve as guardians.

Local Government Impact

The amount of revenue generated by the fee would vary by county depending on how many cases to which the fee would apply.

Source Agencies:

LBB Staff: JOB, MN, DB