

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 3, 2007

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

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

IN RE: HB2967 by Hartnett (Relating to a performance bond required of a statutory probate court judge.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would add Section 25.00231 to Chapter 25 of the Government Code to require a judge of a statutory probate court, before beginning duties of office, to execute a bond in the amount of \$500,000 payable to the county treasurer or person performing those duties, conditioned on the faithful performance of the duties of office and approved by the commissioners court. A county would be authorized to obtain insurance in lieu of the bond. The commissioners court would be required to pay the premium for the bond or insurance out of the county's general funds.

The bill would repeal Section 25.0173(e) of Chapter 25, Government Code, that currently exempts a judge of a statutory probate court in Bexar County from executing a bond. The bill would repeal Section 25.1034(f) that currently requires a judge of a statutory probate court in Harris County to execute a bond in the sum of \$100,000. As a result of these repeals, the requirements that would be added by Section 25.00231 would apply to the statutory probate court judges in Bexar and Harris counties, whereas they otherwise would not.

The bill would take effect October 1, 2007. A judge of a statutory probate court who is serving on the effective date of the bill would be required to comply with the requirements not later than November 1, 2007.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, MN, DB