

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 26, 2007

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

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

IN RE: SB392 by Duncan (Relating to venue or transfer of certain probate matters and guardianship matters.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB392, As Introduced: a negative impact of (\$270,000) through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$135,000)
2009	(\$135,000)
2010	(\$135,000)
2011	(\$135,000)
2012	(\$135,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1
2008	(\$135,000)
2009	(\$135,000)
2010	(\$135,000)
2011	(\$135,000)
2012	(\$135,000)

Fiscal Analysis

The bill would amend the Probate Code authorizing a judge of a statutory probate court to transfer a cause of action to another statutory probate court regardless of proper or mandatory venue in another county. Certain cases subject to transfer by the bill are the responsibility of the Office of the Attorney General.

Methodology

The estimated cost per case relating to a breach of fiduciary duty transferred out of Travis County is approximately \$30,000. It is assumed approximately three cases per year will require travel pursuant to the provisions of the bill, resulting in approximately \$90,000 per fiscal year. Costs incurred for hearings and depositions are estimated to be \$45,000 per fiscal year.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General

LBB Staff: JOB, SD, MN, JM