

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 8, 2009**

**TO:** Honorable Jim Pitts, Chair, House Committee on Appropriations

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

**IN RE: HB1306** by Heflin (Relating to the authority of certain counties to use unclaimed money for the benefit of the county.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would add Section 74.3014 to the Property Code to authorize a county having a population of less than 25,000 in which the state or one of its political subdivisions, including an institution of higher education, owns more than 25 percent of the land in the county may deliver reported unclaimed money to a fund established by the county to benefit the county rather than delivering the money to the Comptroller of Public Accounts as required by Section 74.301. The bill stipulates the uses of the money by the county and would require the county to file with the Comptroller a verification of money delivered under the new section.

A claim for money delivered to the county must be filed with the county, and the county would be required to pay the claim if the county determines in good faith that the claim is valid. A person aggrieved by a claim decision could file suit against the county in a district court.

The Comptroller would be required to prescribe the forms and procedures governing the new section of the Property Code.

Current law requires that abandoned money being held by any county be remitted to the Comptroller's Office by its' respective due date based on the item and deposited to the General Revenue Fund 0001.

Based on the population and ownership provisions in the bill, there would be no significant fiscal impact to the state.

The bill would take effect September 1, 2009.

**Local Government Impact**

The amount of revenue gain to a county would depend on the amount of money that is unclaimed in the county each year.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JOB, MN, JB, DB, SJS