

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 10, 2009

TO: Honorable Patrick M. Rose, Chair, House Committee on Human Services

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

IN RE: HB3112 by Hartnett (Relating to the referral of an elderly or disabled person to the Department of Aging and Disability Services and the determination by that agency of the need for a guardianship for that person.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Human Resources Code Section 161.101 by amending Subsections (b) and (c) and add Subsections (c-1) and (c-2). Under Subsection c-1 if the Department of Aging and Disability Services (DADS) determines guardianship is appropriate and DADS should serve as guardian, DADS must file an application no later than the 70th day after referral. If DADS finds an alternate guardian under 161.102, DADS would be required to refer to that alternate guardian within sufficient time for the alternate guardian to file an application no later than the 70th day after referral from Department of Family and Protective Services.

The agency indicates any cost to implement provisions of the bill can be absorbed within available resources.

Local Government Impact

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

Source Agencies: 530 Family and Protective Services, Department of, 539 Aging and Disability Services, Department of

LBB Staff: JOB, CL, PP, ML