

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**April 19, 2009**

**TO:** Honorable Joe Deshotel, Chair, House Committee on Business & Industry

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

**IN RE: HB4397** by Deshotel ( relating to payoff statements provided in connection with certain home loans.), **Committee Report 1st House, Substituted**

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

The bill would amend the Finance Code to add a new section requiring the mortgage servicer to deliver a payoff statement no later than the fifth business day after a request has been received. The Finance Commission would create a form of payoff statement for use with all loans secured by real property and establish rules relating to the use of the payoff statement by the lender or mortgage provider and the borrower or any third-party requesting the payoff statement on behalf of the borrower.

Based on the analysis of the Department of Banking, Office of Consumer Credit Commissioner, and the Department of Savings and Mortgage Lending, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 450 Department of Savings and Mortgage Lending, 451 Department of Banking, 466 Office of Consumer Credit Commissioner

**LBB Staff:** JOB, JRO, MW, ACa