

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**May 11, 2009**

**TO:** Honorable Todd Hunter, Chair, House Committee on Judiciary & Civil Jurisprudence

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

**IN RE: SB866** by Harris (Relating to the rights and liabilities of the parties in a suit for dissolution of a marriage and certain post-dissolution proceedings.), **Committee Report 2nd House, Substituted**

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

The bill would repeal Sections 3.007(a), (b), and (f), Family Code; Sections 3.401(1), (2), and (3), Family Code; and Sections 3.403, 3.406(c), 3.407, and 3.408, Family Code. The bill would modify the Family Code relating to the rights and liabilities of parties in a divorce suit to permit a court to resolve claims for reimbursement using equitable principles defined by the provisions of the bill. The bill also would allow a court to award reasonable attorney's fees incurred by a party in a divorce suit against the other party. The bill would take effect September 1, 2009.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, MN, TP