

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 26, 2009

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

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

IN RE: SB1057 by Uresti (Relating to criminal history record information relating to persons who are certified to provide guardianship services.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code and the Probate Code relating to criminal history record information relating to persons who are certified to provide guardianship services. According to the Office of Court Administration, county clerks are currently required to perform a criminal history check before a person (other than a family member or an attorney) is appointed to serve as a guardian. The bill would allow the clerks to obtain the criminal history information from the Guardianship Certification Board (GCB) at the Office of Court Administration (OCA), which also performs a criminal history check before a person is certified and re-certified, provided the request applies only to criminal history record information obtained by the GCB on or after January 1, 2009. OCA indicates any costs associated with the bill could be absorbed within the agency's existing resources. The bill would take immediate effect if the bill receives two-thirds the vote of all members. Otherwise, the bill would take effect September 1, 2009.

Local Government Impact

No significant fiscal implication to units of local government

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, MN, TB