

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

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

**April 14, 2009**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on State Affairs

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

**IN RE: SB2324** by Duncan (Relating to the classification of certain types of marital property in regards to claims for payment of a criminal restitution judgment.), **As Introduced**

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

The bill would amend the Family Code relating to the classification of certain types of marital property in regards to claims for payment of a criminal restitution judgment. The bill would add a subsection to the Family Code making all retirement allowances, annuities, accumulated contributions, optional benefits, and money in the various retirement system accounts of the state community property and not subject to a criminal restitution judgment as it relates to the nonparticipant spouse. To the extent the bill modifies the income eligible to be pursued in a criminal restitution judgment, the rules change is not anticipated to increase the workload of the court system. The bill would take effect September 1, 2009.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

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

**LBB Staff:** JOB, KJG, ZS, JP