

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

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 10, 2011**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

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

**IN RE: HB908** by Thompson (Relating to the division of community property on dissolution of marriage.), **As Passed 2nd House**

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

The bill would amend the Family Code to recognize "fraud on the community" as a factor in determining the proper division of the community estate in a divorce. The proposed amendment would compel a court to determine whether a spouse had wrongfully or wastefully treated community property. To the extent the bill would provide an additional factor courts may consider when hearing divorce cases, no significant implication to the workload of the courts is anticipated. The bill would take effect September 1, 2011.

**Local Government Impact**

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

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

**LBB Staff:** JOB, SD, TB, JT