

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 5, 2011

TO: Honorable Chris Harris, Chair, Senate Committee on Jurisprudence

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.), **Committee Report 2nd House, Substituted**

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, TB, JT