

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 21, 2011

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

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

IN RE: HB1078 by King, Phil (Relating to the appointment of a guardian ad litem and attorney ad litem for a minor in an application for a court order authorizing the minor to consent to an abortion.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Family Code to provide that the elements the court is required to determine for a minor seeking an abortion without parental consent are changed from the disjunctive (“or”) to the conjunctive (“and”). The bill would provide that the same individual may not be appointed as both the guardian ad litem and the attorney ad litem for the minor. According to the Office of Court Administration, current law provides that the court may order the state to pay the costs of both guardian and attorney ad litem from funds appropriated to the Texas Department of Health (now the Texas Department of State Health Services). Because the state is already paying both costs, no significant fiscal impact to the state is anticipated. Courts may incur some costs locally in identifying and locating two different individuals who will perform the two ad litem roles on the minor's behalf, but the costs should not be significant. 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, KJG, TB