

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 31, 2011

TO: Honorable Jim Jackson, Chair, House Committee on Judiciary & Civil Jurisprudence

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

IN RE: HB2900 by Hartnett (Relating to guardianships.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill proposes changes to practices and procedures for guardianships that are transferred from one jurisdiction to another. Sections 1, 2, 3 and 6 do not have any changes that would have any fiscal impact. Section 4 requires the court to which the guardianship is transferred to hold a review hearing; this may have an impact on the court's time and resources. Section 5 authorizes the court to hold a hearing anywhere in the county; again, this may impact the court's time and resources. Section 7 repeals Probate Code Section 893, but its provisions are included in the revisions under section 6; therefore, the fiscal impact is neutral. Section 8 proposes additions to Probate Code Section 894 clarifying the court's authority regarding its exercise of jurisdiction in certain matters involving unjustifiable conduct by parties to the guardianship proceeding. Section 8 also permits the court to assess costs and fees against the party seeking the action if the party engaged in unjustifiable conduct.

Local Government Impact

The bill would require the court to which the guardianship is transferred to hold a review hearing. County courts with probate jurisdiction may have a greater demand on their time and resources which would vary by county; however, the fiscal impact is not expected to be significant.

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

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