

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

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

**May 5, 2011**

**TO:** Honorable John Carona, Chair, Senate Committee on Business & Commerce

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

**IN RE: HB3004** by Nash (Relating to prepaid funeral benefits contracts and the prepaid funeral contract guaranty fund.), **As Engrossed**

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

The bill would amend the Finance Code relating to prepaid funeral benefits contracts and the prepaid funeral contract guaranty fund. The bill would change the composition of the advisory council overseeing the prepaid funeral contract guaranty fund and clarify the advisory council's requirements when holding meetings. The bill would clarify the purpose of the prepaid funeral contract guaranty fund and circumstances for which the prepaid funeral contract guaranty fund can be used. The bill would add additional requirements relating to situations where a funeral provider defaults on a prepaid funeral benefits contract.

Costs associated with the implementation of the bill for the Department of Banking is not considered in this analysis because fiscal impacts for this agency would be realized outside of the Treasury due to the agency being Self-Directed and Semi-Independent.

Based on information provided by the Department of Insurance and Funeral Service Commission, it is assumed that any duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources within the agencies.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 451 Department of Banking, 454 Department of Insurance, 513 Funeral Service Commission, 450 Department of Savings and Mortgage Lending

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