

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 1, 2013

TO: Honorable Tryon D. Lewis, Chair, House Committee On Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB190 by Dutton (Relating to a suit for legal separation in a marriage.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code relating to a suit for legal separation in a marriage; specifically it would add an additional subchapter to create a new cause of action for legal separation. The bill provides that existing Family Code provisions pertaining to divorce would be applicable in an action for legal separation. The same jurisdiction, venue, and residence requirements would apply, and it is not estimated to have a significant impact on court operations.

The bill would take effect January 1, 2014, provided that a constitutional amendment proposed by the Eighty-third Legislature, Regular Session, 2013, authorizing a court to partition the community property and to characterize future earnings of spouses as separate property on legal separation of the spouses is approved by voters. Under provisions of the bill, if said amendment is not approved by voters the bill would have no effect.

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: UP, CL, ZS, JP