

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 24, 2015

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB354 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 to create legal separation as an alternative to dissolution of a marriage, or divorce and would procedurally mirror the legal requirements of divorce. The court may vacate the order of legal separation upon agreement of both parties.

Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. The bill would take effect January 1, 2016, provided that a constitutional amendment proposed by the Eighty-fourth Legislature, Regular Session, 2015, 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. If the constitutional 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, ESi, MW, GDz