

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 11, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2207 by Kuempel (Relating to procedures and fees for the deposit and safekeeping of wills and other fees collected by court clerks in probate matters; authorizing and increasing fees.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Estates Code to address the procedures associated with the deposit of a will with a county clerk. It would amend section 252.001 to clarify the circumstances under which a will may be deposited when a testator cannot be found and to increase the deposit fee from \$5 to \$10. The bill would make conforming changes to the Government Code and the Local Government Code to reflect the increased fee, which is paid to the court clerk and retained by the county. The bill would also revise other sections of the Estates Code to clarify the court's obligations with respect to a deposited will.

The fee addressed by the bill is retained by the county. No significant fiscal impact to the state courts is anticipated.

The number of wills deposited with the clerk under this bill will vary, and therefore the fiscal impact will vary by county. However, the increase in the fee is not anticipated to produce a significant positive fiscal impact.

Local Government Impact

The number of wills deposited with the clerk under this bill will vary, and therefore the fiscal impact will vary by county. However, the increase in the fee is not anticipated to produce a significant positive fiscal impact.

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

LBB Staff: UP, AG, LBO, SD, SJS