

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 4, 2017

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2823 by Dean (Relating to the issuance and enforcement of a subpoena during the course of an investigation of a residential mortgage loan servicer.), **As Engrossed**

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| No significant fiscal implication to the State is anticipated. |
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The bill would amend the Finance Code relating to the issuance and enforcement of a subpoena during the course of an investigation of a residential mortgage loan servicer. The bill would permit the commissioner to issue a subpoena to a peace officer or other certain authorized persons. Under the provisions of the bill, the commissioner could petition a district court in Travis County to issue an order requiring the person to obey the subpoena. The bill would require the court to set an application to enforce a subpoena.

Based on information provided by the Office of Court Administration and the Department of Savings and Mortgage Lending, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 450
Department of Savings and Mortgage Lending

LBB Staff: UP, CL, EH, EK