

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

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 10, 2017**

**TO:** Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB4107** by Neave (Relating to abatement or dismissal of a proceeding for an expedited order allowing foreclosure of a lien on real property.), **As Introduced**

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

The bill would amend the Civil Practice and Remedies Code to allow the court to abate or dismiss the application for expedited foreclosure if the court determines that, at least 30 days prior to the hearing on the application, the borrower submitted a completed loss mitigation application and the lender or servicer did not subsequently provide the borrower with a written notice regarding the determination or denial of any available loss mitigation options. 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.

**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, LBO, MW, KJH