

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 5, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB38 by Zaffirini (Relating to certain procedural matters in courts exercising probate jurisdiction.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Estates Code to allow a court to remove an independent executor if the executor fails to timely file the required affidavit or certificates. The bill would also allow a court, with notice, to transfer guardianship to another county if the ward is residing in the county to which the transfer is made. The bill would allow a court to provide notice to a guardian by certified mail if the court intends to remove the guardian on its own motion rather than by a citation. Based on the analysis of the Office of Court Administration and Health and Human Services Commission, 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, AG, MW, GDz