

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 1, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB40 by Zaffirini (Relating to the bond required and the bond insurance obtained for certain judges.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would increase the bond amount for bond and bond insurance obtained by a constitutional or county court judge presiding over a guardianship proceeding to not less than \$100,000 for a court in a county with a population of 125,000 or less; or \$250,000 for a court in a county with a population of 125,000 or more. In lieu of the bond, a county may elect to obtain insurance against losses caused by the county judge's gross negligence in performing the duties of office. The commissioner's court of a county is required to pay the premium for the insurance out of the general funds of the county. The bill would make the bond requirements inapplicable to a statutory county court judge that does not preside over guardianship or probate proceedings or to a statutory probate court judge that executes a bond, obtains insurance, or self-insures. 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

According to the Texas Association of Counties, Travis County and Denton County reported the fiscal impact would not be significant.

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

LBB Staff: UP, AG, MW, GDz, JGA