

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 24, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1056 by Perry (Relating to the transfer of certain probate proceedings to the county in which the executor or administrator of a decedent's estate resides.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Estates Code to allow a judge to transfer certain probate proceedings, upon the motion of the executor or administrator, to the county in which the executor or administrator resides if no immediate family member of the decedent resides in the same county in which the decedent resided and outlines administrative procedures governing transfer of the case. The bill would amend the Government Code related to probate proceedings. If a party to a probate proceeding files a motion for the assignment of a statutory probate court judge and it is granted, the court may order the county be reimbursed out of the estate expenses paid by the county. 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, the bill could have a positive revenue impact on counties if the reimbursement for the costs of the appointed judge is granted.

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

LBB Staff: UP, LBO, AG, GDz