LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 2, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **SB1325** by Zaffirini (Relating to authorizing counties to establish public guardians to serve as guardians for certain incapacitated persons.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Estates Code to authorize counties to create an office of public guardian to provide guardianship services to certain persons deemed incapacitated and defines the roles and responsibilities of this office. The bill would provide courts with the discretion to allow public guardians to receive certain statutory compensation in addition to any compensation set by a commissioners court, and would require the Office of Court Administration establish policies and procedures for the exchange of information between offices of public guardians, public guardians, and other government entities to submit a biannual report that provides information on program costs, benefits, and recommendations.

Based on the analysis of the Office of Court Administration and the 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

The bill authorizes the commissioners court of a county by order to create an office of public guardian to provide guardianship services to incapacitated persons, or enter into an agreement with a person operating a nonprofit guardianship program or private professional guardianship program. Counties could incur costs associated with establishment, creation, and administration of an office of public guardian as well as personnel.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 529 Health and Human Services Commission

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