

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 15, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1559 by Taylor, Larry (Relating to a fee exemption for guardianship proceedings of certain military servicemembers and certain law enforcement officers, firefighters, and other first responders.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Estates Code to address the fee for the filing of guardianship proceedings and other fees for services relating to the administration of the guardianships. The bill would prohibit a court clerk from collecting these fees from the estate of a proposed ward or ward if the court finds that the proposed ward or ward became incapacitated as a result of personal injury sustained while in active service as a member of the armed forces of the United States in a combat zone or became incapacitated in the line of duty as a peace officer, firefighter, or other public servant listed in Government Code, Section 615.003. The bill would clarify that a clerk of a county court is not required to refund a fee that the bill exempts that is paid prior to September 1, 2017.

According to the Office of Court Administration and Comptroller of Public Accounts, the reduction in state collections from filing and administrative fee revenue prohibitions are not anticipated to be significant because the number of guardianship applications that qualify for the exemption are not anticipated to be significant.

Local Government Impact

According to the Office of Court Administration, no significant fiscal impact on the local court system is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304
Comptroller of Public Accounts

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