

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 26, 2021

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1849 by Sanford (Relating to the modification of an order establishing the conservatorship or possession of or access to a child after a conservator's death.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code to allow the death of a person who is a conservator of a child to be classified as a material and substantial change of circumstances sufficient to justify a modification of an existing court order or portion of a decree that provides for the appointment of a conservator. The bill requires the court to consider before modifying an existing court order on a material and substantial change of circumstances any term that imposes a restriction on the parent's right to possession and to include those restrictions in the order if found to be in the child's best interest.

Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources. In addition, no significant fiscal impact to the state court system is anticipated due to implementation of the provisions of the bill.

The bill would take effect September 1, 2021.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, SD, SMAT, DKN, MW, BH, WP, LBO, DA