

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 5, 2021**

**TO:** Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** HB2179 by Moody (relating to trusts.), **Committee Report 1st House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Property Code to modify conditions under which homestead property may be placed in, or transferred to, a trust for use as a homestead by either the beneficiaries of the trust or the settlors of the trust and still retain homestead protection from creditors. The bill would provide that the status of a beneficiary of certain trusts does not change to settlor if the beneficiary holds a testamentary general power of appointment as that term is defined by a section of the federal Internal Revenue Code.

Based on information provided by the Office of Court Administration, no significant fiscal impact to the state court system is anticipated as a result from implementing the provisions of the bill.

**Local Government Impact**

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

**Source Agencies:** 212 Office of Court Admin

**LBB Staff:** JMc, SLE, BH, MW