

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 22, 2021

TO: Honorable Victoria Neave, Chair, House Committee on Juvenile Justice & Family Issues

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3187 by Krause (Relating to divorce on the grounds of insupportability.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
--

The bill would amend the Family Code to provide that either party or both parties to marriage may petition the court for a divorce without fault on the grounds of insupportability. The bill would provide that if only one party files for divorce on insupportability grounds, the party that did not file the petition must be given reasonable opportunity to provide to the court a proposal for the division of real and personal community property. The bill would require the court to consider the proposal when determining the just and right division of the property.

The bill would provide if only one party files for divorce on insupportability grounds and if the suit includes a suit affecting the parent-child relationship, it is a rebuttable presumption that it is in the best interest of the child for the party who did not file the petition to serve as the joint managing conservator with the exclusive right to determine the primary residence of the child.

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, DKN, BH