

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 622** HLS 14RS 1192

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 19, 2014 8:40 AM	Author: ABRAMSON
Dept./Agy.: Supreme Court/Judicial	Analyst: Patrice Thomas
Subject: Inventory in Tutorship Proceedings and Third Parties	

CHILDREN/TUTORSHIP

EN NO IMPACT See Note

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Provides relative to tutorship proceedings

Present law requires that the certificate be recorded in the mortgage records of every other parish in which the tutor (guardian of a minor) owns immovable property. Present law provides that the recordation operates as a legal mortgage for the amount of the certificate in favor of the minor on all the immovable property of the tutor. Proposed law retains present law and provides that if the certificate recorded is in the amount of zero dollars, it shall not create a legal mortgage. If the certificate does not contain the information required by present law, proposed law provides that the certificate will not be effective against third parties.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

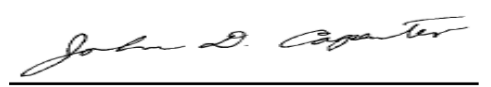
EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure. The proposed legislation provides that when a tutor (guardian of a minor) files a certificate in the amount of \$0, the certificate shall not create a legal mortgage. If the certificate does not include the date of birth of the minor, the last four digits of the social security number of the tutor and the total value of the minor's property, the certificate will not be effective against third parties. This measure does not change tutorship proceedings.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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|---|----------------------------|--------------|--|
| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |


John D. Carpenter
Legislative Fiscal Officer