Department of Planning and Budget 2025 General Assembly Session State Fiscal Impact Statement

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Bill Number: SB1115 ER Patron: Sturtevant

Bill Title: Legal duty; action for damages for legal malpractice concerning estate planning; third

parties to an attorney-client contract.

Bill Summary: Provides that an attorney does not owe a legal duty to a person other than the client for the purpose of the client's estate planning, including the provision of legal advice or the preparation of legal documents, unless the client and attorney enter into a signed, written agreement expressly allowing for such.

The bill repeals the provisions under current law that specify the statute of limitations for legal malpractice actions relating to contracts for legal services concerning estate planning and the tolling of such statute of limitations. The bill is a recommendation of the Boyd-Graves Conference. The bill's provisions are declarative of existing law.

Budget Amendment Necessary: No Items Impacted: N/A

Explanation: N/A

Fiscal Summary: According to the Office of the Executive Secretary of the Supreme Court (OES), this bill does not have a fiscal impact on Courts.

Fiscal Analysis: None required

Other: None