

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATURE 3rd CALLED SESSION -2003

October 8, 2003

TO: Honorable Will Hartnett, Chair, House Committee on Judicial Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB62 by King (Relating to the creation, composition, and funding of the 415th Judicial District.), **As Introduced**

Estimated Two -year Net Impact to General Revenue Related Funds for HB62, As Introduced: an impact of \$0 through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue -Related Funds, Five -Year Impact:

| Fiscal Year | Probable Net Positive/(Negative) Impact to General Revenue Related Funds |
|-------------|--|
| 2004 | \$0 |
| 2005 | \$0 |
| 2006 | \$43,122 |
| 2007 | \$0 |
| 2008 | \$0 |

All Funds, Five -Year Impact:

| Fiscal Year | Probable Savings/(Cost) from GENERAL REVENUE FUND 1 |
|-------------|---|
| 2004 | \$0 |
| 2005 | \$0 |
| 2006 | \$43,122 |
| 2007 | \$0 |
| 2008 | \$0 |

Fiscal Analysis

The bill would amend Chapter 24 of the Government Code by repealing Section 3, Chapter 1306, Acts of the 78th Legislature, Regular Session, 2003 to move the effective date for the creation of the 415th Judicial District in Parker County from September 1, 2005 to January 15, 2004.

The bill would also amend Chapter 51 of the Government Code to authorize the Parker County District Court to collect an additional fee of \$35 for each case filed in the court and deposit those funds in a special account in the county treasury. The funds would be used for paying the total salary of the 415th Judicial District Judge in the amount authorized for district judges under Section 659.012 of the Government Code. The remaining funds in the special account could be used by the county for additional compensation to the judges of 43rd and 415th Judicial Districts and their operating expenses. This portion of the bill would expire January 1, 2006. At that time, the state would begin

funding state judicial salary expenses for the new court.

The bill would take effect January 15, 2004.

Methodology

Senate Bill 1551, passed by the 78th Legislature, Regular Session, created the 415th Judicial District effective September 1, 2005. The fiscal note for Senate Bill 1551 included a cost of \$129,365 in fiscal year 2006 for the proposed court. This represents the annual salary (\$101,700 per year) and benefit costs (an estimated \$27,665 per year) for a district court. Together, annual salary and benefit costs for the district judge of the proposed court total \$129,365. Under the new bill, the new prorated cost for eight months of expenses in fiscal year 2006 would be \$86,243. Accordingly, under current law, the bill would result in a saving to the state of \$43,122 in fiscal year 2006.

Local Government Impact

The cost estimate for Parker County is based on the information provided by the Parker County Auditor's Office. Revenue gain to the county is based on the number of civil and criminal cases filed in the district court in fiscal 2002 and is estimated to be \$51,250 in fiscal year 2004; \$82,000 in fiscal year 2005; and, \$27,330 in fiscal year 2006. Revenue gain would be offset by costs for the new court.

The county's costs include the state's portion of the judge's salary and benefits, salary and benefits for ancillary court personnel, and other operating expenses such as continuing education, supplies and travel. The Parker County Auditor estimates expenses to the county under provisions of the bill to be \$276,810 in fiscal year 2004; \$442,900 in fiscal year 2005; and \$43,120 in fiscal year 2006. This is in addition to the costs incurred by Parker County due to passage of Senate Bill 1551, Seventy-eighth Legislature, Regular Session.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

LBB Staff: JK, GO, ZS, TB