

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

Revision 1

April 10, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB326 by McCall (Relating to the creation of additional judicial districts composed of Collin county.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend Government Code, Chapter 24 to create two new judicial district courts. The 416th and 417th Judicial District Courts would be created on January 1, 2004. The 417th Judicial District Court would give preference to juvenile matters. The bill would also amend Government Code, Chapter 51 relating to an additional filing fee for Collin County district courts. Under the bill the filing fee would be used to pay judges of the 416th and 417th Judicial District Courts a local annual salary equal to the total salary paid other district court judges in Collin County, notwithstanding provisions in Government Code, Chapter 659. This estimate assumes that under the bill the state would not pay an annual salary or benefits for the judges of the two new district courts, and that the new district court judges would not be state employees.

The bill would take effect January 1, 2004.

Local Government Impact

The Collin County Auditor provided an estimate of local costs, excluding local annual salaries of the 416th and 417th district court judges, which would include salaries and benefits for ancillary court personnel (\$553,613 per year per court) and other operating expenses. Collin County would have an annual operating expense of \$18,500 for each district court, which would include travel and training, and a one-time capital set-up expenditure of \$70,912 for each court. The total cost to Collin County for fiscal 2004 is estimated at \$857,367. In fiscal 2005, the cost is estimated at \$1,191,500. In fiscal 2006 and thereafter, the estimated cost is estimated at \$1,144,226.

Under the bill the county would also realize new revenue from an additional \$35 filing fee for each case filed in Collin County district courts. Authorization of the fee would be subject to the approval of the Collin County commissioners court. According to the Annual Report of the Office of Court Administration, 9,165 civil cases were added to the dockets in Collin County district courts in fiscal year 2002. Accordingly, estimated revenue for the additional filing fee would be \$213,850 in fiscal year 2004 (prorated for eight months due to the effective date of the bill) and \$320,775 in fiscal year 2005 and each year thereafter.

Under the bill this revenue would be paid to the judges of the 416th and 417th district courts in the form of a local annual salary equal to the total salary paid other district court judges in Collin County. The annual state salary of a district judge is \$101,700. Collin County currently pays district judges a local supplement of \$9,300, according to the Annual Report of the Office of Court Administration for fiscal year 2002. The total annual salary from state and local sources for other Collin County district judges is \$111,000 per year. Accordingly, this estimate assumes a cost to the county of \$148,000 in fiscal year 2004 (prorated for eight months) and \$222,000 for a local annual salary of \$111,000 per year for the judges of the 416th and 417th Judicial Districts. Under the bill any remaining revenue not used to pay the \$111,000 annual salaries for each judge could be used for additional salary

supplements to those judges and the operating expenses of the 416th and 417th judicial districts.

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

LBB Staff: JK, SD, GO, TB, KG, VDS