

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 12, 2003

TO: Honorable Robert Duncan, Chair, Senate Committee on Jurisprudence

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB494 by Jones, Jesse (Relating to security fees in certain civil and criminal cases.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would authorize commissioners courts to increase from a limit of \$5 to a limit of \$10 the additional filing fee that may be imposed at the time of filing each civil case in county-level and district courts. The bill would increase from \$5 to \$10 the fee imposed on defendants convicted of a felony offense in district courts, and from \$3 to \$10 the fee imposed on defendants convicted of a misdemeanor in county-level and district court. These are security fees deposited into the Courthouse Security Fund.

The bill would take effect September 1, 2003 and would apply only to civil cases filed on or after that date and to criminal cases for offenses committed on or after that date.

Local Government Impact

Based on the number of applicable civil cases (526,390) and applicable criminal cases (126,219 felony and 331,755 misdemeanor) in fiscal year 2002, if the number of cases were to remain the same, if every court charged the maximum fee, and assuming a 33 percent collection rate in felony criminal cases and a 60 percent collection rate in misdemeanor cases, courts statewide would cumulatively collect an additional \$4,233,582 per year over what is currently collected. The positive fiscal impact per court, and therefore per county, would vary.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JK, GO, DLBa