

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**March 20, 2003**

**TO:** Honorable Glenn Lewis, Chair, House Committee on County Affairs

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB494** by Jones, Jesse (Relating to security fees in certain civil and criminal cases. ),  
**Committee Report 1st House, Substituted**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend Section 291.008(a), Local Government Code, to increase from a limit of \$5 to a limit of \$10 that a county commissioner's court could charge at the time of filing each civil case filed in county-level and district courts. The bill would also amend Article 102.017(a) and (b), Code of Criminal Procedure, to increase from \$5 to \$10 the fee collected from a defendant convicted of a felony offense in a district court and from \$3 to \$10 the fee collected from a defendant convicted of a misdemeanor offense in a justice court, county court, county court at law, or 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 nearly 2.17 million misdemeanor) in fiscal year 2002, if the number of cases were to remain the same, if every court charged the maximum \$10 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 more than an additional \$11.9 million 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, DLBa