

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**Revision 2**

**March 3, 2003**

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

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

**IN RE: HB544** by Jones, Jesse (Relating to the assessment of certain court costs in justice courts.),  
**As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend the Code of Criminal Procedure by removing the population limitation to require each county commissioners court to set court costs in the amount of \$7 for each conviction of a Class C misdemeanor in the justice courts. The bill would take effect September 1, 2003 and would apply only to an offense committed on or after that date.

**Local Government Impact**

Current law provides that only counties with a population of 3.3 million or more may set court costs not to exceed \$7 for each conviction of a Class C misdemeanor in the justice courts. The only county that meets the population limitation, Harris County, does not collect this court cost. Under the proposed legislation, all county commissioners courts would be required to set court costs at \$7 for each Class C misdemeanor conviction.

Assuming there would be the same number of guilty verdicts in the justice courts in future fiscal years as there were in fiscal year 2002 (slightly over 1.8 million), with all Texas justice courts collecting \$7 per conviction, and assuming a collection rate of 60 percent, implementing provisions of the bill would generate just over \$7.7 million in revenue annually for Texas counties combined. The gain per county would vary depending on the number of justice court Class C misdemeanor convictions in each county and the collection rate each county experiences. For example, Dallas County, estimating only a 50 percent collection rate and 140,000 Class C dispositions in the justice courts, estimates the county would experience a revenue gain of \$490,000 annually. Harris County, where there were 223,970 Class C convictions in the justice courts in fiscal year 2002 would have experienced close an additional \$1.6 million in revenue if the collection rate was at 100 percent.

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

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