

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 28, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB813 by Gutierrez (Relating to the collection and use of certain filing fees to fund nonprofit organizations that provide shelter or services to victims of family violence.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend Chapter 51, Government Code, to authorize a commissioners court to adopt a family violence prevention fee in an amount not to exceed \$15. The fee would be charged at the time a suit for marriage dissolution is filed, but would not apply in a case where one of the parties is under a protective order. Marriage dissolution means divorce, annulment, and suits to have a marriage found void. The fee would be collected by the district clerk and deposited into the family violence prevention account of the county treasury to only be used for funding public or private nonprofit organizations providing shelter or services, including civil legal services, to victims of family violence. The bill would take effect September 1, 2003 and would apply only to suits filed on or after that date.

Local Government Impact

In a sample of 16 counties ranging in population from 414 to 3.4 million, suits for divorce alone totalled 127,073 in fiscal year 2002 (data from web site of Office of Court Administration, fiscal year 2002 annual report). Assuming the proposed fee would be applicable in each of those suits and assuming the maximum fee of \$15 would be collected, if the same number of divorce suits were to be filed in fiscal year 2002, those 16 counties combined would collect \$980,910 to apply toward shelter and services for victims of family violence. The amount would be \$440,670 in Harris County, \$128,595 in Collin County, \$3,435 in Webb County, \$495 in Parmer County, and \$15 in Kenedy County.

The positive fiscal impact would vary by county depending on the number of suits for marriage dissolution filed, the number not involving a protective order, and the level of fee the commissioners court adopts not to exceed \$15.

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

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