

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 30, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB1037 by Ritter (Relating to a courthouse security fee collected in certain civil case filings.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to allow the commissioners court to set a fee not to exceed \$10 to be collected at the time a civil case is filed in a county court, county court at law, or district court. The fee would not apply, however, to a civil case in which an adoption is requested or in which termination of a parent-child relationship is sought. The bill would take effect September 1, 2003.

Local Government Impact

Under current statute, the commissioners court may set a fee not to exceed \$5 when civil cases are filed in the courts listed and no cases are excluded. The bill would double the maximum amount for which the fee could be set.

According to data in the fiscal year 2002 annual report by the Office of Court Administration, there were 651,656 new civil cases added to court dockets in fiscal year 2002. If the current \$5 fee was charged for each of those cases, courts statewide would have collected cumulatively almost \$3.3 million. If the fee allowed is doubled and the same number of civil cases are added to the docket each fiscal year, counties already collecting the \$5 maximum and that choose to charge a \$10 maximum under the revised statute, would experience an annual revenue gain of approximately \$3.3 million, for a total annual revenue from civil court case filing fees of approximately \$6.6 million. The revenue gain would vary by county based on the number of county, county court at law, and district courts in the county; the number of applicable civil cases filed; and the amount of the fee set by the commissioners court.

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

LBB Staff: JK, GO, DLBa