

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 16, 2003

TO: Honorable Will Hartnett, Chair, House Committee on Judicial Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB1250 by Hope (Relating to transacting business by the Ninth Court of Appeals.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1250, As Introduced: a negative impact of (\$534,712) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$267,356)
2005	(\$267,356)
2006	(\$267,356)
2007	(\$267,356)
2008	(\$267,356)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1	Change in Number of State Employees from FY 2003
2004	(\$267,356)	5.0
2005	(\$267,356)	5.0
2006	(\$267,356)	5.0
2007	(\$267,356)	5.0
2008	(\$267,356)	5.0

Fiscal Analysis

The bill would amend Government Code, Section 22.210 to require the Ninth Court of Appeals to hear and transact business for all cases originating in Montgomery, San Jacinto, or Liberty counties at the Montgomery county seat, the city of Conroe. Cases originating in other counties of the appellate district of the Ninth Court of Appeals would continue to be heard and processed in Jefferson County at Beaumont. The bill would require Montgomery County to "furnish and equip" rooms for the Ninth Court of Appeals for all proceedings occurring in Montgomery County.

The bill would take effect September 1, 2003.

Methodology

This estimate assumes no cost savings to the state for a reduction in cases heard and processed in Jefferson, due to the costs incurred for transferring such cases to Montgomery County.

The Ninth Court of Appeals indicates that approximately 25% its cases would be heard and processed in Conroe, although all appeals would continue to be filed in Beaumont. The estimate assumes that a separate and fully operational office in Conroe would be furnished and equipped at no cost to the state. However, additional personnel needed to maintain the new office would include 2 deputy clerks (each paid \$35,000 per year for a total cost of \$140,000 for the biennium) and 3 attorneys to assist the three justices (each paid \$59,418.67 per year for a total cost of \$356,512 for the biennium). Additional operating expenses for the new office would include shipping costs for cases transferred from Beaumont to Conroe and travel expenses for the justices making the 180-mile roundtrip between Conroe and Beaumont (at a total cost of \$38,200 for the biennium.)

Technology

Under the provisions of the bill, Montgomery County would be required to equip the Conroe office. This estimate assumes that technology costs provided by the Office of Court Administration would be incurred by Montgomery County as described below.

Local Government Impact

The Office of Court Administration provided technology equipment costs for a fully operational office in Conroe that includes a network file server, personal computers and printers for 8 persons, a network copier, and related technology equipment for a total cost of \$72,147 in fiscal year 2004 and \$10,655 in fiscal year 2005. Technology costs would remain \$10,655 in fiscal years 2006 and 2007 until equipment would need to be replaced in fiscal year 2008 at a cost of \$40,880.

The Ninth Court of Appeals provided estimates for other start-up costs for equipment and furnishings that would be necessary for the new office and would be provided by Montgomery County, under the provisions of the bill: a fax machine (\$3,000); a mailing machine (\$3,000); and furniture (\$25,000). All of these costs would be incurred in fiscal year 2004.

Source Agencies: 212 Office Of Court Administration, Texas Judicial Council, 229 Ninth Court Of Appeals District, Beaumont

LBB Staff: JK, GO, VDS, TB