

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 9, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB1768 by Ellis (Relating to the recovery by the State Commission on Judicial Conduct of certain costs, fees, and expenses on a finding of misconduct of a judge.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1768, As Introduced: a positive impact of \$180,000 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	\$90,000
2005	\$90,000
2006	\$90,000
2007	\$90,000
2008	\$90,000

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1
2004	\$90,000
2005	\$90,000
2006	\$90,000
2007	\$90,000
2008	\$90,000

Fiscal Analysis

The bill would amend Government Code, Chapter 33 relating to the recovery by the State Commission on Judicial Conduct of certain costs, fees, and expenses on a finding of misconduct of a judge. The bill would allow the agency to recover from the judge reasonable costs for depositions, discovery, travel, court reporters, trial expenses, and costs of the commissioners, special masters, and review tribunals pursuant to a finding of misconduct. The bill would take effect September 1, 2003.

Methodology

According to the State Commission on Judicial Conduct, in any one fiscal year the agency conducts one to eight formal proceedings relating to alleged misconduct of a judge. According to the agency, the cost per case for depositions, discovery, travel, court reporters, trial expenses, and the costs of

commissioners, special masters, and review tribunals averages \$30,000. This estimate assumes three such cases per year would result in a finding of misconduct, which under the bill would result in a cost savings to the agency.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 242 State Commission on Judicial Conduct, 304 Comptroller of Public Accounts

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