

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 29, 2003

TO: Honorable Tom Craddick, Speaker of the House, House of Representatives

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB1833 by Goodman (Relating to certain fees that may be assessed and collected by a domestic relations office.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code to allow a county domestic relations office (DRO) that provides visitation services to collect a reasonable filing fee on the filing of a suit under Section 203.004 and a reasonable fee at the time visitation services are provided under Section 153.014. The bill would take effect September 1, 2003.

There are 12 counties that have established a domestic relations office, although not all provide visitation services (i.e., child drop-off exchange, supervised visitation, therapeutic supervision).

The Travis County DRO provided an example of the number of potential suits for which the proposed fees could apply. The Travis County DRO reports that there were approximately 11,000 cases filed in the county in fiscal year 2002. About 82 percent of the people involved in those cases were indigent, so the fee would be collected only from about 2,000 people (the remaining 18 percent). If a filing fee of \$15, for example, were assessed and collected from those 2,000 people, the Travis County DRO would collect an additional \$30,000 per year.

The reasonable fee that could be charged at the time of use of visitation services in Travis County would apply to 166 out of 300 families that used the services in fiscal year 2002 because 134 of those families were low income and their other fees were paid in whole or in part by grants from Travis County or the City of Austin (both the county and city budget \$25,000 each per year for this purpose).

Fees that could be collected would help offset operational costs (mostly staffing) of a DRO, although because the percentage of fees that would actually be collected would be low, the positive impact is not anticipated to be significant. The impact would vary depending on the number of suits filed, the number of persons using visitation services, the number of applicable persons who are capable of paying, and the amount of the fees imposed.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General

LBB Staff: JK, RR, GO, JB, DLBa