

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 7, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB1905 by Farrar (Relating to the records management and preservation fee collected by a district court.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Government Code to increase the records management and preservation fee from \$5 to \$10, and would narrow the specific uses of this fee. The bill would also create a District Clerk Records Management and Preservation Fund for records management and preservation services performed by the district clerk after a document is filed in the records office. The bill would take effect September 1, 2003 and would apply only to a fee that becomes payable under the provisions of the bill on or after that date.

Under current law, the fees collected under this provision are deposited into a county Records Management and Preservation Fund. Provisions of the bill would create a District Clerk Records Management and Preservation Fund, and would require that \$5 of the \$10 fee be deposited into each of the aforementioned funds. The funds would only be available for records management and preservation, which would include records automation. The fund revenue would only be used in accordance with a budget approved by a county's commissioner court.

Because the county fund would continue to receive \$5 per applicable civil action filed, there would be no impact to the county Records Management and Preservation Fund. Because an additional \$5 per action filed would be collected and that amount deposited into a District Clerk Records Management and Preservation Fund, the district clerks' offices would experience a revenue gain to use for paying for records automation and other records management and preservation needs. The impact would vary by district clerk's office depending on the number of applicable civil actions filed.

Local Government Impact

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

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, GO, DLBa