

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 21, 2003**

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

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB2588** by Goodman (Relating to certain fees and costs that may be collected and to certain attorney's fees and costs that may be imposed in relation to certain child support matters.),  
**Committee Report 2nd House, As Amended**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2588, Committee Report 2nd House, As Amended: a positive impact of \$4,353,617 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	\$1,938,456
2005	\$2,415,161
2006	\$2,480,450
2007	\$2,549,002
2008	\$2,620,980

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Revenue Gain/ (Loss) from <i>New General Revenue Related - Attorney General Child Support Application and Service Fee Account</i>	Probable Revenue Gain/ (Loss) from <i>FEDERAL FUNDS 555</i>	Probable (Cost) from <i>FEDERAL FUNDS 555</i>
2004	\$1,938,456	\$3,762,885	(\$3,762,885)
2005	\$2,415,161	\$4,688,254	(\$4,688,254)
2006	\$2,480,450	\$4,814,991	(\$4,814,991)
2007	\$2,549,002	\$4,948,063	(\$4,948,063)
2008	\$2,620,980	\$5,087,785	(\$5,087,785)

**Fiscal Analysis**

The bill would provide that a court cannot waive attorney's fees and court costs for a child support obligor who is in contempt of court for failure to pay child support and who owes \$20,000 or more. The bill would provide for exceptions. There would be a slight increase in the attorney's fees awarded; however, the amount would be insignificant.

The bill would further authorize the Office of the Attorney General (OAG) to charge a \$25 annual fee for child support enforcement services provided in cases that are opened upon application. The fee may be charged to cases in which child support payments collected exceed \$1,000 annually. This

provision of the bill would be effective on January 1, 2004.

The bill would further authorize the OAG to charge a monthly service fee of \$3 for child support disbursement services provided in cases not being enforced by the OAG and a \$25 annual fee for parent locator services. These provisions would be effective on September 1, 2003.

The bill would create the attorney general child support application and service fee account in the general revenue fund of the state treasury.

### **Methodology**

It is assumed that the OAG will charge the fees authorized by the proposal. It is assumed that a \$25 annual fee will be charged to cases involving parties that have never received cash assistance from the Temporary Assistance to Needy Families program. This caseload is estimated at 146,304 for FY 2004. The number of cases is adjusted for an implementation date of January 1, 2004. Thereafter, the OAG assumes a 5% increase in caseload per year.

It is assumed that a \$3 monthly service fee will be charged to child support cases that are not enforced by the OAG but are disbursed by the state disbursement unit. The OAG estimates 82,304 cases per year will be charged this fee in FY 2004-2008. It is estimated that the \$25 locator fee will be charged to 12,000 cases per year. It is assumed that the \$3 fee and the \$25 locator fee will be charged beginning on September 1, 2003.

Revenues collected will be divided between the state and federal government. (66% federal share).

### **Local Government Impact**

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

**Source Agencies:** 302 Office of the Attorney General, 304 Comptroller of Public Accounts

**LBB Staff:** JK, KE, JO, GO, AJ, KG