

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 9, 2003

TO: Honorable Joe Crabb, Chair, House Committee on Redistricting

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB2944 by King (Relating to the courts of appeals districts and membership of the courts of appeals.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2944, As Introduced: a negative impact of (\$678,686) 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	(\$339,343)
2005	(\$339,343)
2006	(\$339,343)
2007	(\$339,343)
2008	(\$339,343)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND</i> 1	Change in Number of State Employees from FY 2003
2004	(\$339,343)	4.0
2005	(\$339,343)	4.0
2006	(\$339,343)	4.0
2007	(\$339,343)	4.0
2008	(\$339,343)	4.0

Fiscal Analysis

The bill would amend Government Code, Chapter 22 to remove Brazos County from the 1st and 14th Court of Appeals Districts, leaving Brazos County to be served by the 10th Court of Appeals District. The bill would also change the composition of the 8th and the 11th Court of Appeals Districts. The bill would remove Andrews, Ector, Gaines, Glasscock, Martin, and Midland counties from the 8th Court of Appeals District and would add those same counties to the 11th Court of Appeals District. According to the 8th Court of Appeals, 25 percent of the court's cases filed originate in the designated counties. The bill would move any new cases filed to the 11th Court of Appeals in a proportionate amount. The bill would also provide that the 9th Court of Appeals District consists of four rather than three justices.

The bill would take effect September 1, 2003.

Methodology

Costs associated with potential case transfers for the 1st and 14th Court of Appeals Districts for the removal of Brazos County are not anticipated to be significant.

The 8th Court of Appeals may realize savings for fewer cases filed and the 11th Court of Appeals may realize costs for additional cases filed; however, due to the net effect of savings and costs, the fiscal implication to the state is not anticipated to be significant. Additionally, this estimate assumes that the bill would not effect the Supreme Court's program to equalize the dockets of the courts of appeals for the number of new cases filed each year per justice. This estimate assumes under the equalization of the dockets program, the 8th Court of Appeals would receive more case transfers from other courts and the 11th Court of Appeals would receive fewer case transfers.

The addition of a justice to the 9th Court of Appeals would cost the state \$107,350 per year for the justice's salary and an additional \$28,697 for the justice's benefits. The 9th Court of Appeals indicates that two staff attorneys and one legal assistant would be needed to assist the new justice, with salaries totaling \$158,256 per year. Associated benefits for the justice's staff would cost an additional \$45,040 per year.

Local Government Impact

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

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

LBB Staff: JK, SD, VDS, TB, KG