

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 3, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB3557 by Hamilton (Relating to the county courts at law in Orange County.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to create an additional county court at law, the County Court at Law No. 2, in Orange County. The bill would take effect on September 1, 2003.

Since Orange County has passed a resolution to collect court costs and fees under Government Code, Section 51.702, the state would incur an annual cost of \$5,000 in the form of a salary supplement for the judge of the new county court at law. However, this annual cost is not a significant fiscal implication.

Local Government Impact

Orange County was contacted for cost estimates to implement Section 1 of the bill. The county has not performed a formal cost projection for the establishment and operation of an additional county court at law. However, the county auditor provided a partial list of projected staffing needs and their associated costs. The projected salary costs would be approximately \$272,645 per annum, which includes the cost for public defenders, an attorney to serve as county prosecutor, the prosecutor's administrative assistant, a courtroom bailiff, an additional clerk in the district clerk's office and an additional clerk in the county clerk's office. The salary estimate does not include salary costs for an additional bench judge, court coordinator or court reporter. Additionally, no formal estimates are available regarding potential capital outlay expenses, such as furniture and computer equipment. Estimates were unavailable regarding the cost to house the second court because the location has not yet been finalized.

There would be no fiscal impact to the county to implement Section 2 of the bill. The County Court at Law of Orange County already uses six-member juries, which is allowed at the discretion of the county, for the majority of cases that are put before the county court at law.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

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