

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 9, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1046 by Ellis, Rodney (Relating to court filing fees used to provide basic civil legal services to the indigent.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1046, As Introduced: an impact of \$0 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.

The bill would amend the Government Code to double the amount of the fees charged for civil filings, which are deposited into the Judicial Fund 0573—Basic Civil Legal Services Account to provide basic legal services to the indigent. The bill would take effect September 1, 2003 and apply only to an action or proceeding filed on or after that date.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	\$0
2005	\$0
2006	\$0
2007	\$0
2008	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from <i>JUDICIAL FUND—Basic Civil Legal Services Account</i> 573	Probable Revenue Gain/(Loss) from <i>Counties</i>
2004	\$2,710,000	\$174,000
2005	\$3,613,000	\$190,000
2006	\$3,613,000	\$190,000
2007	\$3,613,000	\$190,000
2008	\$3,613,000	\$190,000

Fiscal Analysis

Fees charged for civil filings under current statute range from \$2 in justice of the peace courts to \$50 in supreme court and courts of appeals. The new fees would be double those amounts.

Methodology

The Comptroller of Public Accounts, using data from the Uniform Statewide Accounting System and based on a four-year average of revenue deposited into the Basic Civil Legal Services Account, adjusted for counties' collection fee and for quarterly remittance to the state.

Local Government Impact

Counties would experience a revenue gain aggregately in the amounts shown in the table. The revenue gain would vary by county depending on the number of civil filings. A sampling of counties and the Texas Association of Counties indicated that the revenue gain would be insignificant, but depending on the county, counties reported an estimated annual gain ranging from \$500 in Williamson County to approximately \$54,000 in Tarrant County.

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

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