

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**May 24, 2003**

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

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

**IN RE: SB1551** by Duncan (Relating to the creation of additional judicial districts, to filing fees in the district courts in Collin County, and to the jurisdiction of the county courts at law in Cameron County.), **Committee Report 2nd House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1551, Committee Report 2nd House, Substituted: a negative impact of (\$258,730) 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:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2004	(\$129,365)
2005	(\$129,365)
2006	(\$517,460)
2007	(\$517,460)
2008	(\$517,460)

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

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from GENERAL REVENUE FUND 1</b>	<b>Change in Number of State Employees from FY 2003</b>
2004	(\$129,365)	1.0
2005	(\$129,365)	1.0
2006	(\$517,460)	4.0
2007	(\$517,460)	4.0
2008	(\$517,460)	4.0

**Fiscal Analysis**

The bill would amend Government Code, Chapter 24 to create the following six new judicial districts: the 413th Judicial District composed of Johnson County, created on September 1, 2003; the 415th Judicial District composed of Parker County, created on September 1, 2005; the 416th and 417th Judicial Districts composed of Collin County, created on January 1, 2004; the 419th Judicial District composed of Travis County; and the 422nd Judicial District composed of Kaufman County, both created on September 1, 2005.

The 417th Judicial District would give preference to juvenile matters. The bill would also amend Government Code, Chapter 51 relating to an additional filing fee for Collin County district courts. Under the bill the filing fee would be used to pay judges of the 416th and 417th Judicial District

Courts a local annual salary equal to the total salary paid other district court judges in Collin County, notwithstanding provisions in Government Code, Chapter 659. This estimate assumes that under the bill the state would not pay an annual salary or benefits for the judges of the two new district courts, and that the new district court judges would not be state employees.

The bill would also amend Government Code, Chapter 25 relating to the jurisdiction of county courts at law in Cameron County. This portion of the bill would take effect September 1, 2003.

**Methodology**

The salary of a district court judge is currently \$101,700 annually. Associated benefits for the position are estimated to be \$27,665 annually. Together salary and benefits for the district judge of the proposed court would be \$129,365 in fiscal year 2004 and each year thereafter. All other costs are paid by the county.

**Local Government Impact**

The auditors in Collin, Johnson, Kaufman, Parker, and Travis counties provided estimates of local costs, which would include salaries and benefits for ancillary court personnel and other operating expenses such as travel, training, consumable supplies, and initial capital outlays by the counties to provide courtroom space, furniture, and equipment. In the case of Collin County, a local annual salary for the judges of the 416th and 417th equal to the total salary paid to other district court judges in Collin County is included.

Costs to the affected counties are as follows:

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Collin	(791,517)	(1,092,725)	(1,045,451)	(1,045,451)	(1,045,451)
Johnson	(622,000)	(354,000)	(354,000)	(354,000)	(354,000)
Parker	0	0	(338,454)	(338,454)	(348,458)
Kaufman	0	0	(177,150)	(169,150)	(169,150)
Travis	0	0	(427,401)	(283,901)	(283,901)

Included in amounts for Collin County in the table above is new revenue the county would also realize new revenue from an additional \$35 filing fee for each case filed in Collin County district courts. Authorization of the fee would be subject to the approval of the Collin County commissioners court. According to the Annual Report of the Office of Court Administration, 9,165 civil cases were added to the dockets in Collin County district courts in fiscal year 2002. Accordingly, estimated revenue for the additional filing fee would be \$213,850 in fiscal year 2004 (prorated for eight months due to the effective date of the bill) and \$320,775 in fiscal year 2005 and each year thereafter.

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

**LBB Staff:** JK, KG, JO, GO, VDS, TB