

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 8, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1623 by Ellis, Rodney (Relating to the collection of a fee from certain nonresident attorneys requesting permission to participate in proceedings in a Texas court.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require a nonresident attorney who is not a member of the State Bar of Texas to pay a fee of \$250 for each case in which the attorney is requesting to participate to the Board of Law Examiners. The nonresident attorney must thereafter provide proof of payment to the court in which the person has filed a motion requesting permission to participate in proceedings.

The Board of Law Examiners would remit the fee to the Comptroller's Office, which would deposit the fees to the credit of the basic civil legal services account of Judicial Fund No. 573. Although revenue would be generated from the \$250 fee, based upon agency and court information, it is anticipated that the total amount of fees collected by the Board of Law Examiners would have no significant fiscal implication to the state. Additionally, because the Board of Law Examiners receives no state appropriations, this estimate assumes any additional costs to the Board for collecting the fee would have no fiscal implication to the state.

The bill would take effect September 1, 2003.

Local Government Impact

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

State and local trial court staff would be required to verify proof of payment provided under the bill. It is anticipated the number of cases in which state and local court staff must verify proof of payment would be low. The Harris County court system does not officially track the number of nonresident attorneys that are not members of the Texas State Bar, but court administrators report that the number is very low. The Rockwall County District Clerk reports that in the past ten years, there have been approximately six cases filed by an out-of-state attorney.

Source Agencies: 201 Supreme Court of Texas, 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 211 Court of Criminal Appeals, 223 Third Court of Appeals District, Austin

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