

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

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

**April 23, 2003**

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

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

**IN RE: SB1834** by Staples (Relating to civil commitment.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1834, As Introduced: a negative impact of (\$93,000) 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	(\$46,500)
2005	(\$46,500)
2006	(\$46,500)
2007	(\$46,500)
2008	(\$46,500)

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

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from GENERAL REVENUE FUND 1</b>
2004	(\$46,500)
2005	(\$46,500)
2006	(\$46,500)
2007	(\$46,500)
2008	(\$46,500)

**Fiscal Analysis**

The bill would amend the Health and Safety Code, Chapter 841 relating to civil commitment proceedings for sexually violent predators. The bill would increase the amount the state pays for each civil commitment proceeding from \$1,600 per case to \$4,700 per case. The bill would take effect September 1, 2003.

**Methodology**

Currently, Montgomery County operates a specialty district court for civil commitment proceedings. According to both the Montgomery County Auditor and the Special Prosecution Unit, approximately 15 such cases are heard each fiscal year. Increasing the state reimbursement amount from \$1,600 to \$4,700 would cost the state an additional \$46,500 each fiscal year. [\$4,700 - \$1,600 = \$3,100 increase in reimbursements; \$3,100 x 15 cases per year = \$46,500.] Montgomery County would realize

savings in a proportionate amount.

### **Local Government Impact**

According to the Montgomery County Auditor, current annual costs of hearing an average of 15 cases per fiscal year total \$72,000 for the part-time services of a court coordinator, a court reporter, a clerk, a jury shepherd, and other associated costs. Of this amount, Montgomery County currently is reimbursed \$24,000 [15 cases x \$1,600 = \$24,000.] Assuming 15 cases are heard each fiscal year, Montgomery County would realize an annual savings of \$46,500 under the bill. [15 cases x \$3,100 = \$46,500.] Total reimbursement to Montgomery County for 15 cases per fiscal year would total \$70,500. [15 cases x \$4,700 = \$70,500.]

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts

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