

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

February 21, 2005

TO: Honorable Ray Allen, Chair, House Committee on County Affairs

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB667 by Jones, Jesse (Relating to security fees in certain civil and criminal cases.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would allow commissioners courts to increase the additional filing fee that is used for courthouse security in civil cases in county-level and district courts to an amount not to exceed \$10. The bill would require defendants convicted of a felony offense in district courts to pay a security fee of \$10. The bill would take effect September 1, 2005.

Under current statute, the authorized additional filing fee for a civil case for courthouse security cannot exceed \$5 and the required security fee for a felony offense in district court is set at \$5.

Local Government Impact

If each commissioners court were to impose the full \$10 optional fee authorized in the provisions of the bill for civil cases filed in county-level and district courts, assuming 555,978 cases (number of applicable cases filed in fiscal year 2004 estimated by the Office of Court Administration), there would be an increase in annual revenue of almost \$2.8 million statewide.

According to the Office of Court Administration, there were 143,293 felony cases to which the required security fee would have applied in fiscal year 2004. If the fee had been \$10 instead of \$5, assuming a collection rate of 33 percent, district courts would have had an increase in annual revenue of \$238,822.

The revenue gain would vary by court, depending on the number of cases to which the fees would apply and, for the optional fee, how many cases on which the fee would be imposed and in what amount.

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

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