

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 13, 2005

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

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

IN RE: HB950 by Casteel (Relating to fees for filing certain documents with a county clerk.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would increase the fees for filing personal property and real property records. The bill would take effect September 1, 2005 and would apply only to filings made on or after that date.

Local Government Impact

The current filing fee for personal property records is \$2. The bill would increase the filing fee for personal property records to \$5 for the first page and \$4 for each additional page. The current fee for real property filings is \$3 for the first page and \$2 for each additional page, part of a page, or attachment or rider. The bill would increase real property filing fees to \$5 for the first page and \$4 for each additional page, part of a page, or attachment or rider.

Both the Legislative Budget Board and the Comptroller of Public Accounts contacted various counties regarding the revenue gain the counties would experience if the fees were to be increased as proposed. In the smallest-populated county that was contacted, Reeves County (population 13,137), the estimated revenue gain would be \$28,885. The estimated gain in Bexar County (population almost 1.4 million) would be nearly \$2.4 million.

According to the county clerks contacted, the overwhelming majority of revenue is generated from real property filings. The number of personal property filings is negligible. Because the actual number and types of filings vary significantly from county to county, the fiscal impact would vary by county, but would be positive. The Comptroller provided an estimated aggregate increase of \$44 million for counties, assuming an estimate of \$2 per capita increase and a state population of 22 million.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, WP, DLBa