

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

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**March 24, 2005**

**TO:** Honorable Terry Keel, Chair, House Committee on Criminal Jurisprudence

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

**IN RE: HB1290** by Flynn (Relating to imposing a cost on conviction to reimburse counties for medical expenses incurred by jail inmates.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would require that a defendant convicted of an offense in any level of court pay a \$3 court cost fee. The clerks of the respective courts would be required to submit the fee with the county treasurer for deposit into an inmate medical expense fund. The fund would be solely for the use to reimburse the county or a hospital district for medical, dental, or other health-related services provided to inmates in the county jail. The fund would be administered by or under the direction of the county commissioners court. During the first month of each new fiscal year, if the fees collected from the previous year exceeded the medical costs, the remaining revenue would be allocated to the county's general revenue fund.

The bill would take effect September 1, 2005 and the fee would be imposed only for an offense committed on or after that date.

**Local Government Impact**

The Office of Court Administration reports there were nearly 7.5 million criminal convictions in fiscal year 2004. Assuming a 65 percent collection rate, if the same number of criminal convictions were to occur annually, more than \$14.5 million would be collected statewide each year to offset expenses for inmate care in the county jails.

The impact would vary by county. For example, Harris County (population 3.4 million) estimates the new fee would result in a revenue gain of \$278,628 in fiscal year 2006 to apply toward medical expenses of jail inmates. Bexar County (population 1.4 million) estimates a revenue gain of \$335,199 in the first year of implementation. Williamson County (population 249,967) estimates the fee would result in a revenue gain of \$15,300 in the first year of implementation; whereas the county incurred medical and dental costs for county jail inmates in fiscal year 2004 that totalled \$470,783 plus another \$50,416 for the contracted services of a physician to come to the jail to see the inmates. Midland County (population 116,000) estimates the fee would generate \$60,000 and Hidalgo County (population 569,463) estimates the fee would generate approximately \$37,000 the first year of implementation.

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

**LBB Staff:** JOB, KJG, DLBa