

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 21, 2005

TO: Honorable Will Hartnett, Chair, House Committee on Judiciary

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

IN RE: HB1884 by Van Arsdale (Relating to the records management and preservation services fee.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would increase from \$20 to \$30 the fee a defendant convicted in a county court, county court at law, or district court is required to pay for records management and preservation services performed by the county. The county treasurer, or official serving in that capacity, would be required to deposit \$25 of the \$30 into the county records management and preservation fund for the purpose of records management and preservation for various county offices and the remaining \$5 into the court clerk records management and preservation fund for records management and perservation services performed by the court clerk. The bill would take effect September 1, 2005 and would apply only to a fee that becomes payable on or after that date.

Under current statute, the present \$20 fee is deposited into a single records management and preservation fund for county records management and preservation. Under current and proposed statute, records management and preservation includes related automation needs as well.

Local Government Impact

The Office of Court Administration (OCA) reported that statewide in fiscal year 2004 there were 341,015 convictions in county-level courts and 146,808 convictions in district courts, for a total of 487,823 applicable convictions. If the same number of convictions were to occur in fiscal year 2006 (the first year the bill would be implemented), counties statewide would see an increase of approximately \$4.9 million in the amount of fees imposed (487,823 convictions X \$10 increase above current fee amount). According to OCA, on average, the collection rate for court costs is about 65 percent; therefore, counties would actually experience a revenue gain of approximately \$3.2 million annually.

The revenue gain in each county would vary depending on the number of convictions and actual collection rate. For example, Harris County (population 3.4 million) estimates an increase in revenue of \$928,760 in fiscal year 2006, increasing approximately 5 percent each of the next five years. Fort Bend County (population 354,452) estimates approximately \$23,650 more in revenue in fiscal year 2006, and Williamson County (population 249,967) estimates an annual increase of \$20,000.

Source Agencies: 304 Comptroller of Public Accounts

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