

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

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**  
**Revision 1**

**April 25, 2005**

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

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

**IN RE: HB3155** by Escobar (Relating to the creation of a judicial district in Kenedy and Kleburg Counties and to the composition of the 105th Judicial District.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB3155, Committee Report 1st House, As Amended: a negative impact of (\$248,513) through the biennium ending August 31, 2007.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2006	(\$118,854)
2007	(\$129,659)
2008	(\$129,659)
2009	(\$129,659)
2010	(\$129,659)

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

Fiscal Year	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND</i> 1	Change in Number of State Employees from FY 2005
2006	(\$118,854)	1.0
2007	(\$129,659)	1.0
2008	(\$129,659)	1.0
2009	(\$129,659)	1.0
2010	(\$129,659)	1.0

**Fiscal Analysis**

The bill would amend Chapter 24, Government Code, to create a new judicial district in Kenedy and Kleberg Counties, the 423rd Judicial District, created on the effective date of the bill, September 1, 2005. The bill would also remove those counties from the 105th Judicial District, leaving only Nueces County. The bill would provide that voters in Kenedy, Kleberg, and Nueces Counties would continue to vote for the district attorney serving the courts in all three counties.

**Methodology**

The annual salary provided by the state for a district judge is \$101,700, plus benefits estimated at \$27,959 annually. Due to the creation date of the court, the fiscal impact for the first year the court would exist has been prorated eleven months (salaries plus benefits). Thereafter, the estimate annual salary for the district judge would be \$129,659. The county would pay all other costs.



## Local Government Impact

The Kleberg County Auditor provided an estimate of costs. Set up costs to the county would be insignificant because the county already has dedicated district courtroom facilities and some district court staff budgeted. Other costs would include salaries, benefits, and payroll taxes for ancillary court personnel.

Costs to Kleberg County do not include offsetting revenue. In the future, it is assumed that improved caseload management brought about by the creation of a new judicial district could result in higher revenues; however, the amount of increased revenues cannot be estimated.

The bill would take effect September 1, 2005, which is the beginning of the state's 2006 fiscal year, but is the last month of Kleberg County's fiscal 2005. The total cost to Kleberg County for fiscal year 2005 is estimated at \$6,660. For fiscal year 2006 and thereafter, the cost is estimated at \$79,922 per year.

The bill would restructure the 105<sup>th</sup> Judicial District to serve Nueces County exclusively. Previously, Kenedy and Nueces Counties paid the salary of the District Court Case Manager for the district. Assuming that each judicial district will have its own district court case manager, Nueces County should anticipate hiring a case manager for approximately \$34,445, the annual salary of the case manager that currently serves the 105th Judicial District. This is approximately \$10,334 more than Nueces is already paying to Kleberg County for a district court case manager.

The state's fiscal year begins September 1; Nueces County's fiscal year begins October 1. The total cost to Nueces County for fiscal year 2005 is estimated at \$861. For fiscal year 2006 and thereafter, the cost is estimated at \$10,344 per year.

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

**LBB Staff:** JOB, LB, KJG, TB