

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 6, 2005

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

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

IN RE: SB438 by Gallegos (Relating to service of citation in small claims courts.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would repeal Section 28.013(b), Government Code. The result would be that the responsibility for serving citations would rest solely with officers of district, county, and justice courts. The bill would take effect September 1, 2005 and would apply only to an action instituted on or after that date.

Under current statute, judges and court clerks have the option of a citation being served by an officer of the state or in any manner authorized for service of citation in a district, county, or justice court. Removing the option of who serves a citation would provide a savings to the state for any citations its officers would have served. Conversely, the local governmental entities would experience an increase in the number of citations for which its officers must serve, which would increase costs.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, DLBa