

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

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

**March 15, 2005**

**TO:** Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

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

**IN RE: SB585** by Fraser (Relating to creation of a judicial district in Blanco, Burnet, Llano, and San Saba Counties, to the election of a local administrative district judge for those counties, to the juvenile board in those counties, and to the district courts in those counties.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB585, As Introduced: a negative impact of (\$137,458) 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	(\$68,729)
2007	(\$68,729)
2008	(\$68,729)
2009	(\$68,729)
2010	(\$68,729)

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

Fiscal Year	Probable Revenue Gain/(Loss) from <i>GENERAL REVENUE FUND</i> 1
2006	(\$68,729)
2007	(\$68,729)
2008	(\$68,729)
2009	(\$68,729)
2010	(\$68,729)

**Fiscal Analysis**

The bill would amend Chapter 24, Government Code, to create the 424th District Court in Blanco, Burnet, Llano, and San Saba counties. The jurisdiction of the court would be concurrent with the 33rd District Court. The bill would set forth provisions for the selection of jury commissioners and the drawing of petit and grand juries by the 33rd and 424th district courts, and establish what the courts may hear and determine.

The bill would also amend Chapter 74, Government Code, to provide that the local administrative judge for Blanco, Burnet, Llano, and San Saba counties be elected on the basis of seniority by the judges of the 33rd and 424th district courts.

The bill would amend Chapter 152, Human Resources Code, to make the judge of the 33rd District Court the chairman and chief administrative officer of the Juvenile Board.

The bill would take effect September 1, 2005 and the court would be created on that date.

### **Methodology**

At this time, the 33rd District Court, which is served by a permanent district judge, uses visiting retired judges to assist in disposing a caseload that has increased as a result of population growth in the area.

The annual salary paid by the state to a district judge is \$101,700. The annual salary that has been paid by the state to visiting retired judges who serve the 33rd District Court has been \$89,380 in fiscal year 2003 and \$32,481 in fiscal year 2004, for an average of \$60,930. The state would continue to pay an annual travel allowance of \$1,500, which therefore would not be considered a new expense.

No state benefits are provided to visiting retired judges because they already receive benefits through the Employees Retirement System, but the state would incur a new annual expense of \$27,959 in benefits for the new district judge. The loss to the General Revenue Fund 0001 would be the annual state salary of \$101,700 less the \$60,930 the state has been paying visiting judges, plus the annual state benefits of \$27,959 for a permanent district court judge. The total annual loss to General Revenue Fund 0001 would be \$68,729 in salary and benefits.

The judge appointed to the proposed 424th District Court would assume the visiting retired judges' responsibilities and use current court personnel. Since the county has budgeted these positions for several years, no new expense would be incurred by the new court for personnel. Existing courtrooms would be used for the proposed district court.

### **Local Government Impact**

Each of the four counties in the 424th District Court would pay an annual supplemental salary of \$3,600 to the new district court judge for a total of \$14,400. The annual operating expense to the counties would be approximately \$3,000. The total loss to the counties annually would be \$17,400. During the last month of fiscal year 2005, the counties would incur a one-time capital expense of \$5,000 to set up the new district court with furniture and computers. For that same time period, the counties would incur \$1,450 for one month of operating expenses and supplemental salary. No additional new revenues are anticipated that are in addition to what the 33rd District Court has collected under the permanent district court judge and the retired visiting district court judges.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JOB, ZS, DLBa