

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 11, 2007

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

IN RE: HB1265 by Pena (Relating to the operations of the Task Force on Indigent Defense and a legal services fee for indigent persons paid by members of the state bar.), **Committee Report 2nd House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1265, Committee Report 2nd House, Substituted: an impact of \$0 through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	\$0
2009	\$0
2010	\$0
2011	\$0
2012	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from <i>JUDICIAL FUND</i> 573	Probable Revenue Gain/(Loss) from <i>FAIR DEFENSE</i> 5073
2008	\$1,908,000	\$1,908,000
2009	\$1,908,000	\$1,908,000
2010	\$1,908,000	\$1,908,000
2011	\$1,908,000	\$1,908,000
2012	\$1,908,000	\$1,908,000

Fiscal Analysis

The bill would make minor amendments the Government Code relating to the operations of the Task Force on Indigent Defense, for which no fiscal implication to the State is anticipated. The bill would amend Government Code § 81.054(j) to continue the collection of a \$65 legal services fee paid by Texas attorneys each year as part of bar dues by striking the expiration clause for this subsection. The fee would otherwise expire on September 1, 2007. Half the fees collected go to the Fair Defense Account for use by the Task Force on Indigent Defense while the other half goes to the Judicial Fund to support civil legal services for the indigent.

The bill would take effect September 1, 2007.

Methodology

Estimates for the continuation of this fee are based on the FY 2007 estimates for the legal services fee included in the Comptroller's *2008-09 Biennial Revenue Estimate*.

Local Government Impact

No fiscal implication to units of local government is anticipated.

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

LBB Staff: JOB, ES, ZS, TB