

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION
Revision 1

April 27, 2007

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

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

IN RE: HB2201 by Kolkhorst (Relating to the creation of a judicial district composed of Grimes and Waller Counties, the composition of the 9th, 12th, and 278th Judicial Districts, the district attorneys for the 12th and 278th Judicial Districts, and the juvenile board of Leon County.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2201, Committee Report 1st House, Substituted: a negative impact of (\$203,946) 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	(\$101,973)
2009	(\$101,973)
2010	(\$101,973)
2011	(\$101,973)
2012	(\$101,973)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/ (Loss) from <i>GENERAL REVENUE FUND 1</i>	Probable Revenue Gain/ (Loss) from <i>JUDICIAL FUND 573</i>	Change in Number of State Employees from FY 2007
2008	(\$101,973)	(\$56,250)	1.0
2009	(\$101,973)	(\$56,250)	1.0
2010	(\$101,973)	(\$56,250)	1.0
2011	(\$101,973)	(\$56,250)	1.0
2012	(\$101,973)	(\$56,250)	1.0

Fiscal Analysis

The bill would add Section 24.5995 to the Government Code to create the 506th Judicial District composed of Grimes and Waller Counties. The bill would amend Chapter 24 of the Government Code to remove Waller County from the 9th Judicial District, to remove Leon County from the 12th Judicial District, and to remove Grimes County from the 278th Judicial District. The bill would take effect September 1, 2007.

Methodology

The annual salary provided by the state for a district judge is \$125,000, in addition to benefits (state contributions for group insurance and to the Judicial Retirement System) which are estimated to be \$33,223 annually. The total annual salary and benefits cost for a district judge is estimated to be \$158,223.

Local Government Impact

The 9th Judicial District is currently composed of Montgomery and Waller counties. The 12th and the 278th judicial districts are currently composed of Grimes, Leon, Madison and Walker counties. The Comptroller of Public Accounts (CPA) contacted officials in Montgomery, Waller and Grimes counties to determine the fiscal impact of the bill.

The Presiding Judge of the Second Administrative Judicial Region estimated that there would be a negligible fiscal impact to Montgomery County and the 9th Judicial District.

The Leon County Auditor stated that the bill would have no fiscal impact on Leon County. The funds that are used to pay for part of the costs in the 12th Judicial District would be used to pay for costs in the 278th Judicial District under this bill. Revenue from all counties comprising a judicial district is deposited in the district clerk's fund; it is not separated out by county.

The Waller County Auditor estimated that the new 506th Judicial District would cost the county \$113,100 for fiscal 2008, including: \$34,755 in salary and \$12,841 in benefits for the court coordinator; \$40,706 in salary and \$13,798 in benefits for the court reporter; \$3,000 in supplies; \$1,500 in equipment; \$5,000 in one-time start-up costs; \$500 for visiting judges, and \$1,000 for visiting court reporters. The annual cost for fiscal 2009 through 2012, which excludes the start-up cost, would be \$108,100. According to the Waller County Auditor, these potential costs could be reduced if Waller and Grimes counties share the costs of the new district court.

The Grimes County Auditor estimated that the new 506th Judicial District would cost the county \$138,746 for fiscal 2008 including: \$34,755 in salary and \$12,841 in benefits for a court coordinator; \$55,000 in salary and \$18,150 in benefits for a court reporter; \$7,500 in equipment; \$2,500 for visiting judges; \$3,000 in supplies; and \$5,000 in one-time start-up costs. The annual cost for fiscal 2009 through 2012, which excludes the one-time start-up costs and equipment, would be \$126,246. The County Auditor stated that annual fiscal impact assumes that Grimes County would pay 100 percent of the cost. If expenses are shared with Waller County; however, the cost to Grimes County would be less.

Waller and Grimes counties' fiscal years begin October 1. For fiscal 2008, it is assumed that the proposed 506th Judicial District would be in start-up mode and would generate no additional revenue to offset the cost of the new court. In the future, it is assumed that improved caseload management brought about by the creation of the new judicial district could result in higher revenues. However, the amount of increased revenues cannot be estimated.

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

LBB Staff: JOB, MN, ZS, JP, KJG