

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 16, 2007

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

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

IN RE: HB3083 by Phillips (Relating to the creation of a judicial district in Grayson County and to the composition of the 6th Judicial District and the 336th Judicial District.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3083, As Engrossed: a negative impact of (\$97,724) 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	(\$97,724)
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	\$0	\$0	0.0
2009	(\$97,724)	(\$53,906)	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 amend Chapter 24 of the Government Code to create a new judicial district in Grayson County. The proposed judicial district, the 397th Judicial District, would be composed of Grayson County and would be created on September 15, 2008.

The bill would also remove Fannin County from the 6th Judicial District and Grayson County from the 336th Judicial District on January 1, 2010.

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. Since the court is created on September 15, 2008, the first year of the district judge's salary is prorated for one half month's pay for the first month of the fiscal year.

Local Government Impact

The 6th Judicial District is currently composed of Fannin, Lamar and Red River counties. The 336th Judicial District is currently composed of Fannin and Grayson counties. The proposed 397th Judicial District would be composed of Grayson County only.

The Comptroller of Public Accounts (CPA) contacted officials in Grayson and Fannin counties to estimate the bill's potential fiscal impact on the counties. The Grayson County Auditor estimated that the total annual cost for the new 397th Judicial District would be \$115,000, which would include \$15,000 to increase the part-time court reporter position to full-time and \$100,000 for full-time counsel for indigent defense. There would be no start-up costs.

The judge for the 336th Judicial District estimated that the total cost to Fannin County would be \$33,000 annually in salaries and benefits, which would include \$10,000 to increase the part-time court reporter position to full-time and \$23,000 for a court coordinator position. It is unknown whether a bailiff for the proposed 397th Judicial District would be assigned from the Sheriff's Office or whether a position would be created.

Grayson County's fiscal year begins October 1. For fiscal 2009, it is assumed that the proposed 397th Judicial District would be in start-up mode and would not generate the same amount of revenue that each of the other district courts generate for the county; therefore, no additional revenue would be available to offset the cost of the additional judicial district. In the future, however, 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