

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 3, 2007

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

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

IN RE: HB3135 by Hughes (Relating to the compensation paid to retired and former judges or justices while assigned as visiting judges in certain courts.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3135, Committee Report 1st House, Substituted: a negative impact of (\$1,326,000) 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	(\$663,000)
2009	(\$663,000)
2010	(\$663,000)
2011	(\$663,000)
2012	(\$663,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1
2008	(\$663,000)
2009	(\$663,000)
2010	(\$663,000)
2011	(\$663,000)
2012	(\$663,000)

Fiscal Analysis

The bill would amend the Government Code to increase the amount of state-paid salary for a visiting judge assigned to a district court. Under the bill, visiting judges would be paid pro rata on the revised salary formula of the sum of a regular judge's salary paid by the county plus the greater of: the state-paid salary of a regular judge on August 31, 2007; or 100 percent of a regular judge's salary from the state for any fiscal year.

The bill would take effect September 1, 2007.

Methodology

The bill would reset the variable portion of the visiting judge salary formula to be the greater of the state salary for a district judge in fiscal 2007 or 100 percent of the salary amount in any fiscal year. The current reference year is 1997, and the reference percentage is 85 percent.

The fiscal 2007 state salary for district judges is \$125,000. According to the Judiciary Section, Comptroller’s Department, the probable costs are estimated based on the proposed salary formula and the number of days worked by visiting judges in fiscal year 2006.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, MN, ZS, TB