

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 2, 2007

TO: Honorable Wayne Smith, Chair, House Committee on County Affairs

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

IN RE: HB3549 by Haggerty (Relating to court costs imposed on conviction and deposited to the courthouse security fund for a county.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure and the Government Code to increase from \$5 to \$10 the amount of a security fee that a defendant convicted of a felony offense in a district court would be required to pay and to increase from \$4 to \$8 the amount of a security fee that a defendant convicted of a misdemeanor offense in a county-level or district court would be required to pay.

The increase in fees would apply only to court costs imposed on conviction of an offense committed on or after the effective date of the bill, which would be September 1, 2007.

Local Government Impact

The fiscal impact to units of local government would vary depending on the number of convictions and the collection rates.

In fiscal year 2006, there were approximately 113,180 felony convictions in district courts, and 1,603,194 misdemeanor convictions in justice courts. The Comptroller of Public Accounts reports that a survey of four district clerks from various counties around the state indicated collection rates ranging from 10 percent to 45 percent. Assuming a 33.3 percent collection rate and static fiscal year 2006 conviction totals, the increase in the courthouse security fee in district courts could generate an additional \$188,445 annually for the courthouse security fund. The increased fees in justice courts could generate an additional \$2,135,454 annually.

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

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