

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 21, 2009

TO: Honorable Todd Hunter, Chair, House Committee on Judiciary & Civil Jurisprudence

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

IN RE: HB1044 by Lewis (Relating to the fees assessed in certain cases filed in the Ector County courts at law.), **As Introduced**

No significant fiscal implication to the State is anticipated.

This bill would amend Government Code, Section 25.0702 to require that fees assessed in a county court at law civil case that has concurrent civil jurisdiction with district court be the same as those charged by the district court. This bill would only affect Ector County, and therefore has no significant fiscal impact to the state.

The Comptroller of Public Accounts (CPA) did not estimate any fiscal impact to the state. The Office of Court Administration (OCA), for illustrative purposes, estimates that the bill would generate an additional \$14.75 per case. OCA reported that 312 new civil cases were filed in Ector County in fiscal year 2008. From OCA's estimate, approximately \$4,602 per year in additional revenue could be remitted to the state.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. The bill would affect the filing fees that would be paid in certain civil cases filed in the Ector County courts at law. The affected cases would be those in which the county court at law has concurrent civil jurisdiction with the district courts.

According to the Office of Court Administration (OCA), Ector County has two county courts at law. Both courts have concurrent jurisdiction with the district courts in family law cases and proceedings. Additionally, the two courts have concurrent jurisdiction with the district courts in civil cases in which the amount in controversy exceeds \$500 but does not exceed \$100,000. The two courts also have concurrent jurisdiction in appeals of final rulings and decisions of the division of workers' compensation of the Texas Department of Insurance regarding workers' compensation claims.

OCA anticipates that there would be some small changes in the amounts realized in various county accounts that are funded in whole or in part by civil filing fees but the agency did not attempt to calculate these changes.

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

LBB Staff: JOB, MN, JI, JJO, TP