

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 13, 2009

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

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

IN RE: HB1296 by Orr (Relating to the creation of a county court at law in Bosque County and the composition of the Bosque, Comanche, and Hamilton Counties juvenile board.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1296, As Introduced: an impact of \$0 through the biennium ending August 31, 2011.

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
2010	\$0
2011	\$0
2012	\$0
2013	\$0
2014	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>Judicial Fund</i> 573	Probable Revenue Gain from <i>Judicial Fund</i> 573
2010	(\$68,753)	\$68,753
2011	(\$75,000)	\$75,000
2012	(\$75,000)	\$75,000
2013	(\$75,000)	\$75,000
2014	(\$75,000)	\$75,000

Fiscal Analysis

The bill would amend the Government Code to create a new County Court at Law in Bosque County. The court would be created October 1, 2009.

The bill would also amend the Human Resource Code to add the County Court at Law judge to the juvenile board of Bosque, Comanche, and Hamilton Counties. The bill would take effect September 1, 2009.

Methodology

The annual recurring cost to the state would be \$75,000 from Judicial Fund No. 573. Under current law, the state provides a county-court-at-law judge a salary supplement an amount equal to 60 percent of the state salary of a district judge (\$75,000). This estimate prorates the salary supplement for fiscal year 2010 at 11 instead of 12 months since the court would be created October 1.

Also, the salary supplement program for county court at law judges is funded from fees and court costs collected by county courts at law statewide and deposited into the Judicial Fund No. 573. This estimate assumes that the County Court at Law in Bosque County would generate sufficient revenue to Judicial Fund No. 573 to cover the cost of the salary supplement.

Local governments pay the other operating costs associated with a county court at law.

Local Government Impact

Bosque County would be responsible for paying the salary and benefits for court personnel. According to the Comptroller of Public Accounts, the Bosque County Auditor reported the average estimated annual cost of court personnel is \$239,087, which would include benefits, annual office expenses (\$7,750), initial office start-up costs (\$5,000), initial capital outlay (\$3,000), and an estimated \$1,000 each year thereafter. The total cost to Bosque County for fiscal year (FY) 2010 is estimated at \$248,194. In FY 2011, the cost is estimated at \$244,418. In FY 2012, the cost is estimated at \$247,738. In FY 2013, the cost is estimated at \$251,157. In FY 2014, the cost is estimated at \$254,679. The County Auditor estimated the new court would generate revenue estimated at \$487,500 in FY 2010, and each fiscal year thereafter.

The bill would require the judge of the newly created County Court at Law of Bosque County to be a member on the juvenile board of Bosque, Comanche, and Hamilton Counties. The fiscal impact to implement this provision is not anticipated to be significant.

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

LBB Staff: JOB, MN, JP, TB, TP