

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 12, 2009**

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

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

**IN RE: HB1682** by Cook (Relating to the creation of a county court at law in Navarro County.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1682, As Engrossed: 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 Savings/(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 Navarro County. The court would be created January 1, 2011, or an earlier date determined by a vote of the Commissioners Court of Navarro County. The bill would take effect September 1, 2009.

**Methodology**

This estimate assumes that the County Court at Law would be created October 1, 2009, since information provided by the Navarro County Auditor's Office estimated that the Commissioners Court would appoint a judge October 1, 2009.

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 Navarro 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**

Navarro County is not currently served by a county court at law. According to the Navarro County Auditor's Office, the average annual operating costs for a county court are estimated at \$326,696, which includes salaries, benefits, supplies and other services and, charges. According to the Navarro County Auditor's Office, the County will use available office space and courtroom to accommodate the new court.

The Navarro County Commissioners Court indicated that they would appoint a judge to fill this position beginning October 1, 2009. It is assumed that the caseload management generated by the creation of the new court of law could result in higher revenue.

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

**LBB Staff:** JOB, MN, JP