

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 13, 2009

TO: Honorable Jim McReynolds, Chair, House Committee on Corrections

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

IN RE: HB1793 by Farrar (Relating to judicial instruction for judges who hear complaints against children alleging violations of certain misdemeanor offenses.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1793, Committee Report 1st House, Substituted: 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>Jud & Court Training Fd</i> 540
2010	(\$146,831)
2011	(\$193,108)
2012	(\$193,108)
2013	(\$193,108)
2014	(\$193,108)

Fiscal Analysis

The bill would amend the Government Code relating to judicial instruction for judges who hear complaints against children alleging violations of certain misdemeanor offenses. The bill would require judges with jurisdiction over certain misdemeanor offenses to complete annual training on child welfare issues as well as the federal Individuals with Disabilities Education Act.

The bill requires the Court of Criminal Appeals to establish rules that would require two hours of training. The bill also would require the Court to adopt those rules no later than December 1, 2009.

The bill would take effect September 1, 2009.

Methodology

The state provides an appropriation for judicial education through the Judicial and Court Personnel Training Fund No. 540 at the Court of Criminal Appeals. The estimate assumes that the Court of Criminal Appeals will promulgate rules that would require the two hours of training. Additionally, the fiscal year 2010 methodology assumes a 75 percent cost because the bill would not require the Court of Criminal Appeals to develop rules for the training until December 1, 2009.

The bill would primarily effect municipal court judges as well as justices of the peace. Average per hour training costs for municipal court judges averages \$36.80 per training hour while justices of the peace average \$39 per hour.

Currently, there are 1,414 municipal court judges operating throughout the state and 821 justices of the peace. The annual training cost for 1,414 municipal court judges receiving two hours of training is estimated to be \$78,053 in fiscal year 2010 and \$104,070 in fiscal year 2011 and each year thereafter. The annual training cost for 821 justices of the peace is estimated to be \$48,029 in fiscal year 2010 and \$64,038 in fiscal year 2011 and each year thereafter.

According to the Court of Criminal Appeals and the Office of Court Administration, the Texas Municipal Courts Education Center (TMCEC) does not currently track the content of courses that municipal judges complete. The one-time cost of modifying TMCEC's software is estimated at \$2,000. Additionally, the estimate assumes an annual cost of \$25,000 of additional staff time for record keeping, which was prorated for fiscal year 2010.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 211 Court of Criminal Appeals, 212 Office of Court Administration, Texas Judicial Council

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