

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

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

**March 25, 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.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1793, 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:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2010	\$0
2011	\$0
2012	\$0
2013	\$0
2014	\$0

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from <i>Jud &amp; Court Training Fd</i> 540</b>
2010	(\$252,163)
2011	(\$336,217)
2012	(\$336,217)
2013	(\$336,217)
2014	(\$336,217)

**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 between two to four 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 full four hours of training, if the Court developed rules requiring two hours of training the estimate could be reduced by 50 percent. 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 four hours of training is estimated to be \$156,106 in fiscal year 2010 and \$208,141 in fiscal year 2011 and each year thereafter. The annual training cost for 821 justices of the peace is estimated to be \$96,057 in fiscal year 2010 and \$128,076 in fiscal year 2011 and each year thereafter.

## **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

**LBB Staff:** JOB, ESi, ZS, JP