

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 16, 2009

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

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

IN RE: HB2232 by Phillips (Relating to the creation of a county court at law in Fannin County.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2232, 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 Savings/(Cost) from <i>Judicial Fund</i> 573 | Probable Revenue Gain from <i>Judicial Fund</i> 573 |
|--------------------|--|--|
| 2010 | (\$75,000) | \$75,000 |
| 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 Fannin County. The court would be created September 1, 2009, and 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).

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 Fannin 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

Fannin County is not currently served by a County Court at Law. Fannin County's fiscal year begins on October 1.

According to the Fannin County Auditor's Office, start-up costs for the new County Court at Law would include technology, furnishings and uniforms (\$19,000), and capital costs for converting building space for the new court (\$16,500). The cost of salaries and benefits in FY 2009 would be \$23,101; FY 2010 would be \$278,596; FY 2011 would be \$286,954; FY 2012 would be \$295,562; FY 2013 would be \$304,429; and FY 2014 would be \$313,563.

The County Auditor estimated revenue for FY 2009 at \$19,167; FY 2010 at \$253,000; FY 2011 at \$278,000; FY 2012 at \$306,000; FY 2013 at \$336,000; and FY 2014 at \$370,000. In FY 2009 to FY 2011, the county would have a net cost, whereas in FY 2012 to FY 2014 the county would have a net gain.

According to the County Auditor, the Fannin County Commissioners Court would appoint a judge to fill this position beginning September 1, 2009.

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

LBB Staff: JOB, MN, JP, TP