

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 27, 2009

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

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

**IN RE: HB3892** by Vaught (Relating to compensation and benefits received by a Chapter 90 Civil Practice and Remedies Code multidistrict litigation pretrial judge.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB3892, As Introduced: a negative impact of (\$66,000) 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	(\$33,000)
2011	(\$33,000)
2012	(\$33,000)
2013	(\$33,000)
2014	(\$33,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from General Revenue Fund 1
2010	(\$33,000)
2011	(\$33,000)
2012	(\$33,000)
2013	(\$33,000)
2014	(\$33,000)

Fiscal Analysis

The bill would amend the Civil Practice and Remedies Code relating to compensation and benefits received by a multidistrict litigation (MDL) pretrial judge under Chapter 90 of the code relating to MDL claims involving asbestos and silica cases. This analysis assumes the bill would provide that a retired judge serving as a MDL pretrial judge in Chapter 90 claims receive the same compensation as an active judge serving as a MDL judge in Chapter 90 claims.

**Methodology**

Under current law, retired judges serving in such cases receive the same compensation as an active judge (a prorated daily rate computed from an annual salary ranging from \$125,000 to \$140,000 depending upon the county in which the retired judge serves), but is not eligible to receive an additional annual salary supplement of \$33,000 received by active judges serving as MDL judges in Chapter 90 claims. This analysis assumes that up to one retired judge serving full-time as a MDL judge in Chapter 90 claims statewide would be eligible to receive an additional salary supplement up to \$33,000 in fiscal year 2010 and each year thereafter.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** JOB, MN, ZS, TB