

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 6, 2009

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

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

IN RE: SB55 by Zaffirini (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 SB55, 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>Jud & Court Training Fd</i> 540
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 and 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 by no later than December 1, 2009.

The bill would take effect September 1, 2009.

Methodology

The Legislature provides an appropriation for judicial education out of the Judicial and Court Personnel Training Fund No. 540 to the Court of Criminal Appeals. The Judicial and Court Personnel Training Fund No. 540 may only be used to provide training for attorneys, judges, justices of the peace, bailiffs, and law students. This estimate assumes that the Court of Criminal Appeals will promulgate rules that would require the full four hours of training. If the Court were to develop rules requiring two hours of training, the estimate could be reduced by 50 percent. Additionally, since the bill would not require the Court of Criminal Appeals to develop rules for the training until December 1, 2009, the estimate for fiscal year 2010 assumes that the training program would only be operated for nine months.

The bill would primarily effect municipal court judges and justices of the peace. According to the Court of Criminal Appeals, the average cost per training hour for municipal court judges is \$36.80 per hour, while the average cost per training hour for justices of the peace is \$39 per hour.

Currently, there are 1,414 municipal court judges 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, MN, ZS, JP, ESi