

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**April 22, 2009**

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

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

**IN RE: SB490** by West (Relating to money paid into the registry of a court in certain counties.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

The bill would change the population criteria for applicability of Subchapter E, Chapter 117, Local Government Code. Under current statute, Subchapter E applies only to Harris County. Under the proposed change in population, based on the 2000 U.S. Census, the subchapter would also apply to Bexar, Dallas, and Tarrant counties.

Subchapter E addresses special provisions applying to funds paid into the court registry and applies to the following kinds of money paid into the registry of any court for which a clerk is or may become responsible: (1) funds of minors or incapacitated persons; (2) funds tendered in connection with a bill in interpleader; or (3) any other funds. The commissioners court of the county collecting the funds may contract with one or more banks in the county for the deposit of the funds in a special account to be called the "registry fund."

**Local Government Impact**

The fiscal impact will vary by county. Bexar County estimates a revenue gain of approximately \$26,000 for the first two fiscal years of implementation. However, the county assumes it would also incur a cost to hire an outside auditor for the accounts. The county assumes that cost to be at least \$25,000 per year.

**Source Agencies:**

**LBB Staff:** JOB, MN, DB