

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 15, 2009

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

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

IN RE: SB659 by Eltife (Relating to the creation of an appellate judicial system for the Twelfth Court of Appeals District.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code, Chapter 22, to create an appellate judicial system for the Twelfth Court of Appeals. The bill would require counties of the Twelfth Court of Appeals district to collect and forward filing fees to a fund for the assistance of the court. According to the Office of Court Administration, 30,176 civil cases were filed in the appellate district in fiscal year 2008 in the county court, county courts at law, probate courts, and district courts in the district. Assuming 30,716 civil case filings per fiscal year at \$5 per filing, the counties within the district would contribute an estimated \$150,880 per fiscal year into the appellate justice system.

The bill would require the commissioners courts to vest management of the system in the chief justice of the Twelfth Court of Appeals. To the extent that the Twelfth Court of Appeals uses local collections to defray expenses previously paid with state appropriations, the fiscal implication to the state is not anticipated to be significant. The bill would take effect September 1, 2009.

Local Government Impact

No significant fiscal impact to local governments is anticipated.

The 17 counties in the Twelfth Court of Appeals District would incur slight costs to establish a separate appellate judicial system fund, but these costs are expected to be minimal. To the extent local government would incur a savings from having a new source of revenue to pay the approximately \$22,500 per year of the supplemental salaries and benefits to justices of the court, the fiscal implication to units of local government is not anticipated to be significant.

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

LBB Staff: JOB, TP, JP, TB