

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 19, 2009

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

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

IN RE: SB1740 by Uresti (Relating to the creation of three additional county courts at law in Bexar County.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1740, 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	(\$225,000)	\$225,000
2011	(\$225,000)	\$225,000
2012	(\$225,000)	\$225,000
2013	(\$225,000)	\$225,000
2014	(\$225,000)	\$225,000

Fiscal Analysis

The bill would amend the Government Code to create three new County Courts at Law in Bexar County. County Courts at Law No. 13, No. 14, and No. 15. The bill specifies that the courts would be created September 1, 2009, or if the bill receives the necessary votes for immediate effect, the courts could be created on earlier date depending on a vote of the Commissioners Court of Bexar County. If the courts were created prior to September 1, 2009, there would be a cost to fiscal year 2009.

The bill would take effect immediately if it receives two-thirds votes in both houses, if the bill does not receive the two-thirds votes it would take effect September 1, 2009.

Methodology

The annual recurring cost to the state per county court at law 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 Courts at Law in Bexar 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.

This estimate assumes that the County Courts at Law would not be created until September 1, 2009.

Local Government Impact

The Bexar County Auditor's Office provided the following information. Bexar County is currently served by County Courts at Law No. 1 - 12. Bexar County's fiscal year begins on October 1. According to the Bexar County Auditor's Office, start-up expense for the County Court at Law No. 13 is estimated at \$12,000 for furniture and fixtures. The Auditor's Office estimates that the fiscal year 2009 expenses for the court are \$39,424 for salaries, \$10,704 for benefits, and \$27,100 for operating costs. The estimated average annual cost of court operations for fiscal years 2010-2014 for County Court at Law No. 13 is \$973,201; which consists of \$496,892 for salaries, \$134,909 for benefits, and \$341,400 for operating costs. County Court at Law No. 13 would have a capital outlay expense of \$200,000 for technology enhancements in fiscal year 2012.

The Auditor's Office estimates for fiscal year 2009 start-up expense for County Court at Law No. 14 at \$48,000 for furniture and fixtures and \$39,424 for salaries, \$10,704 for benefits, and \$27,100 for operating costs. The estimated average annual cost of court operations for fiscal years 2010-2014 is \$496,892 for salaries, \$134,909 for benefits, and 341,400 for operating costs. In fiscal year 2011 the court would have a capital outlay expense of \$300,000 for court house modifications. In fiscal year 2012 the court would have a capital outlay expense of \$1,198,000 for furniture and fixtures, moving expense, and court house modifications; and \$200,000 for technology enhancements.

The Auditor's Office estimates for fiscal year 2009 start-up expense for County Court at Law No. 15 at \$12,000 for furniture and fixtures and \$18,758 for salaries, \$5,065 for benefits, and \$27,100 for operating costs. The fiscal year 2010 expenses are estimated at \$225,100 for salaries, \$60,777 for benefits and \$145,000 for operating costs. The fiscal year 2011 expenses for the court are estimated at \$225,100 for salaries, \$60,777 for benefits, \$150,000 for operating costs, and a capital outlay expense of \$300,000 for court house modifications. The estimated average annual cost of court operations for fiscal years 2012-2014 is \$502,374 for salaries, \$137,133 for benefits and \$350,000 for operating costs. In fiscal year 2012 the court would have a capital outlay expense of \$1,198,000 for furniture and fixtures, moving expense, and court house modifications; and \$200,000 for technology enhancements.

The creation of County Courts at Law No. 13, 14, and 15 would create a total of 24 positions. The positions are: County Court at Law Judge (3), First Chair Prosecutor (3), Second Chair Prosecutor (3), Court Coordinator (3), Bailiff (3), Court Reporter (3), and Court Clerk (6).

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

LBB Staff: JOB, MN, JP, TP