

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 16, 2011

TO: Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

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

IN RE: HB331 by Guillen (Relating to the authority of the governing body of a municipality to create a municipal court equal justice and education fund and to require certain defendants to pay court costs for deposit in the fund.), **Committee Report 1st House, As Amended**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to authorize the governing body of a municipality to create a municipal court equal justice and education fund and to require certain defendants to pay court costs for deposit in the fund.

A municipality could require a defendant convicted of an offense in a municipal court to pay a \$1 court cost for deposit into the fund. Money in the fund would be retained by the municipality to finance certain services as specified by the provisions of the bill.

According to the Office of Court Administration, the total number of misdemeanor convictions from municipal courts and municipal courts of record was 4,731,213 for fiscal year 2010.

Local Government Impact

The amount of revenue gain to local governments would vary depending on the number of misdemeanor convictions in municipal courts and municipal courts of record that would result in additional court cost fees; however, it is not anticipated to be significant.

The City of Austin Municipal Court reported there would be an increase in court cost revenue for fiscal years 2012 to 2016 (\$100,403 to \$149,560), but it is not anticipated to be significant.

The City of Fort Worth reported there would be a fiscal impact for additional staff; however, it is not anticipated to be significant. Fort Worth also reported there would be an increase in court cost revenue, but it is not anticipated to be significant.

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

LBB Staff: JOB, ESi, TP, SD