

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**March 22, 2011**

**TO:** Honorable Jerry Madden, Chair, House Committee on Corrections

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

**IN RE: HB1962** by Villarreal (Relating to the programs that a justice or municipal court may require a juvenile offender to attend and to the payment of related program costs.), **As Introduced**

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

The bill would amend the Code of Criminal Procedure to authorize a justice or a municipal court to order a child that has committed an offense to attend a special program the court determines to be in the best interest of the child or require the parent to act or refrain from an act that would increase the child's compliance with the court orders. If the program required the expenditure of funds by the municipality or the county, the program must be approved by the governing body of the municipality or the county commissioners court. The justice or municipal court would be authorized to order the parent of a child ordered to attend a special program to pay the costs of the program not to exceed \$250. Under current statute, the amount is not more than \$100.

The bill would amend the Government Code to authorize a clerk of a justice or a municipal court to collect the fees and costs of a special program.

The bill would take effect September 1, 2011.

**Local Government Impact**

According to the Comptroller of Public Accounts (CPA), of the three cities that provided potential fiscal information, none had collected any funds in previous fiscal years (FY) since municipalities have not been authorized to collect any fees or require a child to attend a special program for certain offenses. The fiscal year for the three cities will begin October 1, 2011.

The City of San Antonio reported there were 1,500 eligible cases in FY 2010. The city estimated 2,200 new cases would be filed yearly in FY 2011 to FY 2016 and that the fee could generate an estimated \$220,000 in additional annual revenue. The city indicated that they would need equipment, computers, printers, and supplies to administer program, but were unable to provide a cost estimate. In addition, the city would need an additional full-time employee with an annual salary and benefits of \$54,000.

The City of Temple reported there were 800 eligible cases in FY 2010. The city estimated 800 new cases would be filed yearly in FY 2011 to FY 2016 and that the fee could generate an estimated \$41,500 in additional annual revenue. The city indicated that they may not need additional technology to implement the provision of the bill, but would need an additional full-time employee with an annual salary and benefits of \$40,000. The city also suggested that they may incur additional costs for the use of a building and bus transportation for families to get home if the programs continue to operate from 4-6 p.m., but were unable to provide a cost estimate.

The City of Leander reported they handled no such cases in FY 2010, and estimated no new cases would be filed in FY 2011 to FY 2016; therefore, no additional revenue would be expected to be generated.

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

**LBB Staff:** JOB, ESi, TP, TB, JJO