

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 17, 2011

TO: Honorable Jim Jackson, Chair, House Committee on Judiciary & Civil Jurisprudence

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

IN RE: HB2307 by Smithee (Relating to the minimum continuing legal education requirements for an attorney employed in the executive branch of state government.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code relating to the minimum continuing legal education requirements for an attorney employed in the executive branch of state government. The bill would require the State Bar to credit an attorney with the Bar's minimum continuing legal education requirements for a reporting year if the attorney is employed full-time by a board, commission, department, agency, office, or other entity in the executive branch during the reporting year. An attorney would still be required to meet the Bar's continuing legal education requirements in legal ethics or professional responsibility.

As written, the change in statute would not apply to continuing legal education requirements until fiscal year 2013.

This estimate assumes there could be a positive fiscal impact to the state to the extent state agencies within the executive branch of government pay continuing legal education for their attorney staff. This estimate assumes that not all state agencies of the executive branch pay continuing legal education for attorney staff; accordingly no significant fiscal impact is anticipated.

The Office of the Attorney General (OAG) currently pays continuing legal education for its attorney staff. The OAG estimates that if enacted the bill would result in a biennial savings to the office of \$430,543 (\$215,271 per fiscal year). The OAG submitted \$430,543 as part of its 10 percent reduction options schedule and those reductions are included in both House Bill 1 and Senate Bill 1. If the bill were not enacted the Office of Attorney General would not be obligated to have to pay continuing legal education for the office's staff.

This estimate assumes savings beginning in fiscal year 2013 because as written rules are not altered until fiscal year 2013.

The bill would take effect September 1, 2011.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General

LBB Staff: JOB, TB, JT, ZS, JP