

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 21, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1513 by Lewis (Relating to temporary increases in the records archive fees and the records management and preservation fees charged by district and county clerks.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Article 1 would amend the Government Code to authorize the commissioners court of a county to increase a district court records archive fee from not more than \$5 to not more than \$10. The fee would be required to be deposited into a district court records technology fund in the county's general fund and could only be expended for the preservation and restoration of the district court records archive. The bill would also amend the Local Government Code to authorize a county clerk to increase the Records Management and Preservation Fee and Records Archive Fee from not more than \$5 to not more than \$10. Article 1 would take effect September 1, 2013.

Article 2 would revert the fees to fee amounts prior to the increase in Article 1 and would take effect September 1, 2019.

According to the Office of Court Administration, the revenue generated by these fees is retained locally; therefore, no fiscal impact to the state is anticipated.

Local Government Impact

The Comptroller of Public Accounts provided information from Bexar, Collin, Llano and Harris counties to determine the potential fiscal impact of this bill on their counties. Based on the information obtained from the sample counties, the fiscal impact on the units of local government would be positive, but the amount of the impact on other units of local government may differ from the sample counties based on the characteristics of each county. The amount of revenue that each county and district court could generate from the higher fee would vary depending on the fee that is currently charged and the number of suits that are filed.

The fiscal year (FY) for Bexar, Collin, and Llano counties begins October 1, while Harris County's fiscal year begins on March 1.

Bexar County reported the bill would not create any additional expenses. Bexar County estimates additional revenue of \$150,000 per year for FY 2014-18 and a pro-rated revenue amount of \$12,500 for FY 2013. The fiscal implications after FY 2018 would continue to be similar.

Collin County reported the bill would not create any additional expenses. Collin County estimates additional revenue of \$100,000 per year for FY 2014-18 and a pro-rated revenue amount of \$10,000 for FY 2013. The fiscal implications after FY 2018 would continue to be similar.

Llano County reported the bill would not create any additional expenses. Llano County estimates additional revenue of \$1,560 per year for FY 2014-18 and a pro-rated revenue amount of \$130 for FY 2013. The fiscal implications after FY 2018 would be indeterminate.

Harris County reported the bill would not create any additional expenses. Harris County estimates additional revenue of \$1.1 million per year for FY 2015-18 and a pro-rated revenue amount of \$550,000 for FY 2014. The fiscal implications after FY 2018 would be indeterminate.

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

LBB Staff: UP, CL, SD, TP, JJO