

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION
Revision 1

April 8, 2013

TO: Honorable Tryon D. Lewis, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2327** by Gooden (Relating to court costs imposed on conviction and deposited to the courthouse security fund; increasing fees.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Article 102 of the Code of Criminal Procedure, and Chapter 102 of the Government Code to increase security fees.

The fee for conviction of a felony in a district court would increase from \$5 to \$20. The fee for conviction of a misdemeanor in a county-level court or a district court would increase from \$3 to \$8. The fee for conviction of a misdemeanor in a justice court would increase from \$4 to \$9. The security fee for a conviction in a municipal court would remain at \$3. These fees are retained locally. Accordingly, no significant fiscal impact to the State is anticipated.

The bill would take effect on September 1, 2013.

Local Government Impact

Based on the information obtained from the sample counties, the fiscal impact on the units of local government would have a positive impact. The amount of the impact on other units of local government may differ from the sample counties in question based on the characteristics of each county. Four sample counties were contacted to estimate the fiscal impact on units of local government, including Henderson, Collin, Kaufman, and Hill counties.

Henderson County's fiscal year (FY) begins January 1. In FY 2012, Henderson County reported 383 felony convictions in district court were charged the security fee; 919 misdemeanor convictions in county court, county court at law, and district court were charged the security fee; and 5,103 misdemeanor convictions in justice court were charged the security fee. Henderson County estimated there would be no cost to change the fee.

Henderson County estimates an increase in revenue from the security fee on felony convictions in district court of \$5,745 per year; on misdemeanor convictions in county court, county court at law, and district court of \$4,595 per year; and on misdemeanor convictions in justice court of \$25,515 per year for FY 2014-18.

Collin County's FY begins October 1. In FY 2012, Collin County reported 3,264 felony

convictions in district court were charged the security fee; 4,624 misdemeanor convictions in county court, county court at law, and district court were charged the security fee; and 23,099 misdemeanor convictions in justice court were charged the security fee. Collin County estimated there would be no cost to change the fee.

Collin County estimates an increase in revenue from the security fee on felony convictions in district court of \$36,720 in FY 2014 and \$48,960 per year for FY 2015–18. Collin County estimates an increase in revenue from the security fee on misdemeanor convictions in county court, county court at law, and district court of \$17,340 in FY 2014 and \$23,120 per year in FY 2015-18. Collin County estimates an increase in revenue from the security fee on misdemeanor convictions in justice court of \$86,621 in FY 2014 and \$115,495 per year for FY 2015-18.

Kaufman County's FY begins October 1. In FY 2012, Kaufman County reported 1,682 felony convictions in district court were charged the security fee and 721 misdemeanor convictions in county court, county court at law, and district court were charged the security fee. Kaufman County was not able to report the number of misdemeanor convictions in justice court that were charged the security fee in FY 2012. Kaufman County estimated there would be no cost to change the fee.

Kaufman County estimates an increase in revenue from the security fee on felony convictions in district court of \$18,922 and on misdemeanor convictions in county court, county court at law, and district court of \$2,704 in FY 2014. Kaufman County estimates an increase in revenue from the security fee on felony convictions in district court of \$25,230 per year and on misdemeanor convictions in county court, county court at law, and district court of \$3,605 per year for FY 2015-18. Kaufman County was not able to estimate an increase in revenue from the security fee on misdemeanor convictions in justice court.

Hill County's FY begins October 1. Hill County did not report felony or misdemeanor convictions in district court that were charged the security fee in FY 2012. Hill County was unable to breakdown the number of felony and misdemeanor convictions, but reported revenue of \$2,093 from the security fee charged to felony and misdemeanor convictions in district court. Hill County reported 4,058 misdemeanor convictions in justice court were charged the security fee in FY 2012. Hill County estimated there would be no cost to change the fee.

Hill County estimates an increase in revenue from the security fee on felony and misdemeanor convictions in district court of \$5,886 in FY 2014 and \$7,848 per year for FY 2015-18. Hill County estimates an increase in revenue from the security fee on misdemeanor convictions in justice court of \$15,218 in FY 2014 and \$20,290 per year for FY 2015-18.

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

LBB Staff: UP, CL, TP, JJO