

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 23, 2013**

**TO:** Honorable Tan Parker, Chair, House Committee on Corrections

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2520** by Springer (Relating to increasing the costs of court and juvenile probation fees imposed by a juvenile court.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2520, As Introduced: a positive impact of \$3,312,000 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2014	\$1,656,000
2015	\$1,656,000
2016	\$1,656,000
2017	\$1,656,000
2018	\$1,656,000

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from General Revenue Fund</b>
	<b>1</b>
2014	\$1,656,000
2015	\$1,656,000
2016	\$1,656,000
2017	\$1,656,000
2018	\$1,656,000

**Fiscal Analysis**

The bill would amend the Family Code, Chapters 54 to increase the amount of a fee that a child or parent is required to pay when a disposition hearing is held in a juvenile case. The amount would increase from \$20 to \$300. The bill would also increase the maximum court supervision fees for

children placed on probation from \$15 to \$60 per month.

The changes in law made by the bill apply only to a fee or court cost imposed in a juvenile case for conduct violating a penal law that occurs on or after the effective date of the bill. The bill would take effect September 1, 2013.

## **Methodology**

The Comptroller of Public Accounts (CPA) estimated the revenue gain to the state. According to the agency, in fiscal year 2012 the state received \$118,322 in juvenile probation diversion fees. Ten percent of the current \$20 fee is held by the county that collects the fee, and \$18 is remitted to the state. Dividing the total collected by the state by the \$18 fee results in 6,573 total disposition hearings held in which the fee was collected.

CPA calculates the revenue gain to the state by multiplying the 6,573 total disposition hearings by the new \$270 state portion (90 percent of \$300) of the fee and subtracting the amount that would have been collected if the state portion of the fee remained at \$18. The resulting revenue gain to the state as indicated in the table above is estimated to be \$1,656,000. CPA indicates that the fiscal impact of the child probation fee cannot be determined because the fee would be set by the court in each individual case.

The CPA, the Office of Court Administration and the Texas Juvenile Justice Department indicate that no cost to the state is anticipated as a result of changes made by the bill.

## **Local Government Impact**

The Texas Juvenile Justice Department reported that 20,249 cases were adjudicated and 16,488 juveniles were placed on probation in fiscal year 2012. Assuming the same numbers and that fees assessed would be the maximum allowable (an increase of \$28 retained locally for adjudication and an increase of \$45 per month or \$540 per year for juvenile probation), the bill could increase revenue to counties by \$566,972 for the adjudication fee and \$8,903,520 for the juvenile probation fee, for a maximum statewide total of \$9,470,492 to local juvenile probation departments.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 304  
Comptroller of Public Accounts, 644 Texas Juvenile Justice Department

**LBB Staff:** UP, ESi, ZS, JJO, KKR