

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 8, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3153 by Lewis (Relating to the creation and composition of district courts and statutory county courts and county courts at law.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3153, As Introduced: a negative impact of (\$451,752) 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:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	(\$225,876)
2015	(\$225,876)
2016	(\$225,876)
2017	(\$225,876)
2018	(\$225,876)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Probable Savings/(Cost) from Judicial Fund 573	Probable Revenue Gain from Judicial Fund 573	Change in Number of State Employees from FY 2013
2014	(\$225,876)	(\$292,017)	\$75,000	3.0
2015	(\$225,876)	(\$292,017)	\$75,000	3.0
2016	(\$225,876)	(\$292,017)	\$75,000	3.0
2017	(\$225,876)	(\$292,017)	\$75,000	3.0
2018	(\$225,876)	(\$292,017)	\$75,000	3.0

Fiscal Analysis

The bill would amend the Government Code to create new judicial districts in: Denton County, the 442nd Judicial District; Kenedy and Kleberg Counties, the 447th Judicial District; and Travis

County, the 450th Judicial District. The courts would be created September 1, 2013. The new district court in Travis County would give preference to criminal matters.

The bill would also amend the Government Code to create a new County Court at Law in Atascosa County. The court would be created January 1, 2014, or an earlier date determined by a vote of the Commissioners Court of Atascosa County.

The bill would take effect September 1, 2013.

Methodology

The annual salary provided by the state for a district judge is \$125,000, in addition to benefits (state contributions for group insurance and the Judicial Retirement System) which are estimated to be \$22,631 annually. The total annual salary and benefits cost for a district judge is estimated to be \$147,631, which is funded by the General Revenue Fund and Judicial Fund No. 573. Units of local government pay all other associated costs for district court operation.

For county courts at law, the annual recurring cost to the state would be \$75,000 from Judicial Fund No. 573. Under current law, the state provides a county-court-at-law judge a salary supplement at an amount equal to 60 percent of the state salary of a district judge (\$75,000). The salary supplement program for county court at law judges is funded from fees and court costs collected by county courts at law statewide and deposited into Judicial Fund No. 573. This estimate assumes that the County Court at Law in Atascosa County would generate sufficient revenue to Judicial Fund No. 573 to cover costs of the salary supplement. Local governments pay the other operating costs associated with a county court at law.

This estimate assumes that the County Court at Law of Atascosa County would be created September 1, 2013, because provisions of the bill would allow creation of the Atascosa County Court at Law by a vote of the Commissioners Court of Atascosa County.

Local Government Impact

The Denton County Budget office anticipates a total cost of \$1,523,376 for startup costs and nine months pro-rated in fiscal year 2014. Annual expenditures for fiscal years 2015 to 2018 would be \$1,952,931. It is estimated that this would be partially offset by \$50,000 in revenue in the first year of operation and \$165,000 per year during fiscal years 2015 to 2018 through improved caseload management.

Kleberg County Tax Assessor Collector's office anticipates a total cost of \$666,783 for fiscal year 2014 for startup expenses and court expenditures. The expected total annual costs for fiscal years 2015 to 2018 is \$708,548. The Kleberg County Tax Assessor Collector's office anticipates these costs will be partially offset by \$75,000 per year in new revenue.

The Kenedy County Judge's office anticipates court expenditures of \$12,597, for four months pro-rated in fiscal year 2013. Annual court expenditures for fiscal years 2014 to 2018 are anticipated to be \$37,791. There would not be any additional startup or technology costs. Kenedy County Judge's office anticipates \$10,000 in new revenue in fiscal 2013 and \$30,000 per year for fiscal years 2014 to 2018.

The Travis County Planning and Budget office projects one-month pro-rated expenses of

\$561,803 for fiscal year 2014, plus a one-time expenditure of \$361,119. Projected annual costs for fiscal years 2015 to 2018 are \$1,762,639 for court personnel, \$47,567 for operating expenses, and \$598,000 for legally mandated costs for a total of \$2,408,206 per year.

Ector and Anderson Counties anticipate no fiscal impact associated with the bill.

The Atascosa County Judge's office anticipates costs of \$157,124 for six months pro-rated in fiscal year 2013. There would not be any additional startup or technology costs. Annual costs for fiscal years 2014 to 2018 are projected to be \$288,848 for salary and benefits and \$25,400 for operating expenses, for a total of \$314,248 annually. It is estimated that the court would generate \$50,000 in revenue in fiscal year 2013 and \$100,000 per year for fiscal years 2014 to 2018.

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

LBB Staff: UP, CL, ZS, JP, KKR