

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 9, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3790 by Perry (Relating to creation of the Judicial Branch Certification Commission and the consolidation of judicial profession regulation; imposing penalties; authorizing fees.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to create a new Judicial Branch Certification Commission ("Commission") responsible for the consolidated regulation of certain court professions. Under the provisions of the bill, the Commission would regulate court and shorthand reporting; guardians; process servers; and court interpreters. The bill specifies that fees adopted under the specified regulated professions remain in effect until altered by the Texas Supreme Court. The bill would repeal certain portions of Government Code Chapter 52, relating to court and shorthand reporting regulation; Government Code Section 57.001(5), relating to court interpreter regulation; and Government Code Chapter 72 Subchapter F and Section 72.013, relating to process server regulation.

Existing regulatory responsibilities for court reporters, guardians, and process servers are vested with individual certification and review boards affiliated with the Office of Court Administration (OCA). In the current biennium, OCA was appropriated \$165,603 in fiscal year 2012 and \$165,803 in fiscal year 2013 for the Court Reporters Certification Board. OCA was also appropriated \$111,319 in fiscal year 2012 and \$111,429 in fiscal year 2013 for guardians and process servers. The bill would consolidate the functions of these existing boards under the Commission, which would be administratively attached to OCA. OCA anticipates that the consolidation of these programs will not result in a significant fiscal impact to OCA and could be absorbed within existing resources. This estimate also assumes no change in revenues from fees and penalties that are currently assessed by the existing regulatory entities.

Additionally, the bill transfers court interpreter regulatory responsibilities from the Texas Department of Licensing and Regulation to the Commission. This analysis assumes that administrative costs relating to the regulatory program are approximately equivalent to generated regulatory fees. Assuming associated revenue relating to the regulatory program is also transferred from from the Texas Department of Licensing and Regulation to the Office of Court Administration, it is not anticipated that the transfer of regulatory responsibilities will result in any significant fiscal impact to the agency or the court system, respectively.

The bill would take effect September 1, 2014.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 116 Sunset Advisory Commission, 242 State Commission on Judicial Conduct, 304 Comptroller of Public Accounts, 360 State Office of Administrative Hearings, 452 Department of Licensing and Regulation, 538 Assistive and Rehabilitative Services, Department of, 539 Aging and Disability Services, Department of

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