

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 23, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB753 by Patrick (Relating to the production of the index of the parties to all suits by the clerk of a district court.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to require a district court clerk to produce all or a portion of the index of the parties to all suits that is not otherwise confidential by law, for inspection or copying if requested by application. If the index is in an electronic form, the clerk would be required to provide an electronic copy and charge a fee set in accordance with the rules prescribed by the attorney general that are applicable to electronic copies of public information.

According to the Office of Court Administration, no significant fiscal impact is anticipated.

According to the Office of the Attorney General, no fiscal impact is anticipated.

Local Government Impact

There could be a positive fiscal impact for the electronic fee assessed for providing electronic copies of an index that vary depending on the number of requests and the amount of the fee imposed; however, the amount is not anticipated to be significant.

Several counties reported there would be costs to modify systems to generate or view a list of all or portions of the index, and to ensure confidential information is removed prior to inspection or copying upon request. Tarrant County stated that currently, case information is maintained by key figures (case number; person's name) and a system would have to be configured to generate or view a list of the index; and an additional employee would be necessary to maintain the index data and ensure that confidential information is removed prior to responding to a request. In addition, Dallas County indicated the District Clerk's Office would be changing their system to a self-serve web based portal within the next few months; therefore, the county would not incur costs to provide the index data.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General

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