

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 13, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1419 by West (Relating to funding for juvenile case managers through certain court costs and to the establishment of the truancy prevention and diversion fund.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1419, As Engrossed: an impact of \$0 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	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain from New General Revenue Dedicated Account - Truancy Prevention and Diversion Fund
2014	\$3,845,758
2015	\$3,845,758
2016	\$3,845,758
2017	\$3,845,758
2018	\$3,845,758

Fiscal Analysis

The bill would impose a \$2 court cost on convictions in municipal and justice courts, with

collections from the court cost deposited into a new General Revenue account. Money in the new account would be appropriated to the criminal justice division of the Governor's Office for distribution to local governments for truancy prevention and intervention services. The bill would authorize juvenile case managers to provide intervention services to juveniles engaged in misconduct prior to cases being filed, excluding traffic offenses. The county or municipality would be eligible to retain 50 percent of the court cost if a juvenile case manager program is established or in the process of being established.

The bill would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

Methodology

According to data provided by both the Comptroller of Public Accounts and the Office of Court Administration, in fiscal year 2012 there were 3,434,323 convictions as that term is defined by the bill in the municipal courts, other than parking and pedestrian offenses. There were 1,298,918 such convictions in the justice courts. These amount to a combined 4,733,241 convictions in one year; this analysis assumes the same number of convictions in future years. A \$2 fee assessed in each of these convictions would result in an assessed amount of \$9,466,482. This estimate assumes that not all of the assessed amount will be collected; assuming a 65% collection rate, total revenue would be \$6,153,213. Assuming that 75% of the convictions will occur in courts that have juvenile case managers, a total of \$4,614,910 would be split evenly between the State and local governments. Accordingly, the local governments would retain \$2,307,455; the State would receive the other \$2,307,455. The other 25% of the total revenue (\$1,538,303) from courts without juvenile case managers would be directed entirely to the State. The State would receive a total of \$3,845,758.

Local Government Impact

Counties and cities would retain 50% of the new \$2 court cost fee to be used for the purpose of operating or establishing a juvenile case manager program. This is anticipated to generate a statewide total of \$2,307,455 in new revenue to local governments. Counties and cities would also be eligible to receive State funds for truancy prevention and intervention services.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 308 State Auditor's Office, 644 Texas Juvenile Justice Department

LBB Staff: UP, CL, KKR, MW, JPo