

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 16, 2013

TO: Honorable Royce West, Chair, Senate Committee on Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1629 by West (Relating to the operation and administration of, and practice and procedures in courts in, the judicial branch of state government.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1629, As Introduced: a negative impact of (\$200,779) 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	(\$75,292)
2015	(\$125,487)
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	(\$75,292)	(\$147,339)	\$75,000	1.0
2015	(\$125,487)	(\$195,565)	\$75,000	2.0
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 a new judicial district in Denton County, the 442nd Judicial District. The court would be created January 1, 2014.

The bill would amend the Government Code to create a new judicial district in Kenedy and Kleberg Counties, the 447th Judicial District. The court would be created September 1, 2013.

The bill would amend the Government Code to create a new judicial district in Travis County, the 450th Judicial District. The court would be created September 1, 2015, and give preference to criminal matters.

The bill would 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.

Finally, the bill would amend the Family Code to allow the El Paso County Juvenile Board to designate at least one other court as an alternative juvenile court.

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. Units of local government pay all other associated costs for district court operation.

Included in the table above is a prorated amount in fiscal year 2015 for the district judge salary and benefits for the 442nd Judicial District due to the January 1, 2014 court creation date. Annual salary and benefit amounts for district judges for the 447th District in Kenedy and Kleberg Counties and the 450th District in Travis County starting in fiscal year 2014 and fiscal year 2016, respectively, are also included in the table above.

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 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

Local governments are responsible for all costs for district courts with the exception of the judge's salary. Additionally, units of local government cover costs for county courts at law but receive a salary supplement from the state for a portion of the judge's salary. According, to the Comptroller of Public Accounts, the fiscal impact to units of local government for the bill cannot be determined.

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

LBB Staff: UP, CL, ZS, JP