

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 21, 2015

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2730 by Stephenson (Relating to the Thirteenth Court of Appeals District and to the creation of the Fifteenth Court of Appeals District; authorizing fees.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2730, As Introduced: a negative impact of (\$830,963) through the biennium ending August 31, 2017.
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General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	(\$426,555)
2017	(\$404,408)
2018	(\$404,408)
2019	(\$404,408)
2020	(\$426,555)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2015
2016	(\$426,555)	4.0
2017	(\$404,408)	4.0
2018	(\$404,408)	4.0
2019	(\$404,408)	4.0
2020	(\$426,555)	4.0

Fiscal Analysis

The bill would create a new Fifteenth Court of Appeals District, composed of the counties of Cameron, Hidalgo, and Willacy. These three counties currently reside within the Thirteenth Court of Appeals District. The Court of Appeals for the Fifteenth District would consist of a Chief Justice and two Justices. The Chief Justice of the Thirteenth Court of Appeals would be transferred to the Fifteenth Court of Appeals to become this Court's Chief Justice. Two Justices from the Thirteenth Court of Appeals would also be transferred to the Fifteenth Court of Appeals based on their residency. From among the three Justices of the Thirteenth Court of Appeals that

remain, the Governor shall designate a Chief Justice for the Court.

The bill states that appropriations by the 84th Legislature for operations of the Thirteenth Court of Appeals for the 2016-17 biennium would be equally divided between the Thirteenth and Fifteenth Courts of Appeals with no additional appropriations made to the Fifteenth Courts of Appeals; however, appropriations decisions will have occurred prior to the effective date of this bill and therefore this provision cannot control those actions.

Methodology

Based on the Office of Court Administration (OCA), this estimate assumes the current staff of the Thirteenth Court of Appeals that are headquartered in the Edinburg office would be transferred to the newly created Fifteenth Court of Appeals and that these positions would be needed in the Thirteenth Court of Appeals. These positions include a central staff attorney (\$90,720 plus benefits of \$31,177, or \$121,897 per year), an accountant (\$66,564 plus benefits of \$22,875, or \$89,439 per year), a clerk (\$90,720 plus benefits of \$31,177, or \$121,897 per year), and a network specialist (\$50,004 plus benefits of \$17,184, or \$67,188 per year). Salaries for these positions are based on current salaries for similar positions in the Thirteenth Court of Appeals.

The Thirteenth Court would require a new Chief Justice to be appointed to the court. OCA estimates that annual costs of \$2,500 in additional salary for a Chief Justice above the salary of a justice of the court would be absorbed by savings for the Thirteenth Court in freight and travel due to a reduction in the total size of the Thirteenth Court of Appeals District. Additional annual expenses of \$5,285 are estimated for operational needs of the court. In addition, equipment costs of \$22,297 in fiscal year 2016 and 2020 and costs of \$150 in fiscal years 2017-19 are also estimated to be necessary to implement the provisions of the bill.

The bill would take effect September 1, 2015.

Technology

OCA estimates that the new Fifteenth Court of Appeals would need a new server to effect communications with the statewide telecommunications network for the judiciary, and support email and other office software, including case management and a license for 1 SQL server. This estimate assumes a four year replacement cycle for these items.

Local Government Impact

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

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

LBB Staff: UP, FR, MW, GDz