

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 13, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1258** by Clardy (Relating to information publicly available in a state court document database; authorizing a fee.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to make several changes concerning the operation of an electronic state court document database. The bill would outline which documents may be included in the database, would allow the Supreme Court of Texas to authorize the Office of Court Administration (OCA) to operate and maintain the database, would require OCA to collect a fee set by the Supreme Court of Texas for each page or part of a page electronically accessed by a member of the public and requires OCA to deliver collected fees to the clerk of the court in which the document was originally filed and specifies that a court clerk is not responsible for the management or removal of documents from the database and requires courts notify OCA when they receive orders of expunction and nondisclosure. Based on the analysis of the Office of Court Administration and Comptroller of Public Accounts, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources and anticipated revenues are not anticipated to have a fiscal impact to the state.

Local Government Impact

According to OCA, counties would see increased revenues from the fee for copies of documents; however, the total amount of increased revenue cannot be determined.

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

LBB Staff: UP, LBO, GDz