

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 11, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3739 by Murr (Relating to the distribution of the consolidated court cost.), As Introduced

Estimated Two-year Net Impact to General Revenue Related Funds for HB3739, As Introduced: a negative impact of (\$28,000) through the biennium ending August 31, 2019.

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
2018	(\$14,000)
2019	(\$14,000)
2020	(\$14,000)
2021	(\$14,000)
2022	(\$14,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from General Revenue Fund 1	Probable Revenue Gain/(Loss) from GR-Dedicated Comprehensive Rehab Acct No. 107	Probable Savings from GR-Dedicated Comprehensive Rehab Acct No. 107	Probable Revenue Gain/(Loss) from GR-Dedicated Fair Defense Account No. 5073
2018	(\$14,000)	(\$15,781,000)	\$15,781,000	\$15,795,000
2019	(\$14,000)	(\$15,386,000)	\$15,386,000	\$15,400,000
2020	(\$14,000)	(\$15,386,000)	\$15,386,000	\$15,400,000
2021	(\$14,000)	(\$15,386,000)	\$15,386,000	\$15,400,000
2022	(\$14,000)	(\$15,386,000)	\$15,386,000	\$15,400,000

Fiscal Analysis

The bill would amend a portion of the Local Government Code relating to the allocation of court

costs fees. Under current law, a minimum of 0.0088 percent of court cost revenue is deposited to the General Revenue-Dedicated Abused Children's Counseling Account No. 5011 (Fund 5011) and 9.8218 percent is deposited to the General Revenue-Dedicated Comprehensive Rehabilitation Account No. 107 (Fund 107). The bill would remove both of these accounts from the distribution of certain court cost revenue and increase the minimum percentage allocated to the General Revenue-Dedicated Fair Defense Account No. 5073 (Fund 5073) from 8.0143 percent to 17.8448 percent.

The bill would take effect immediately upon receiving a two-thirds majority vote of the members in both houses; otherwise it would take effect on September 1, 2017.

Methodology

Fund 5011 was abolished by the Seventy-fifth Legislature, Regular Session, 1997, and revenue directed by current law for that account (\$14,000) is deposited to General Revenue each fiscal year.

The Comptroller's 2018-19 Biennial Revenue Estimates (BRE) anticipates a decrease in revenue to Fund 107 from \$15.8 million for 2018 to \$15.4 million for 2019. Based upon information provided by the Comptroller of Public Accounts, this analysis assumes that these revenues that would be re-directed to Fund 5073 would remain at the 2019 levels for fiscal years 2020-22.

This analysis also assumes that a savings would be realized from Fund 107 each fiscal year in an amount equal to the revenue loss due to appropriations being made from the fund under current law each fiscal year (\$17,548,000 in fiscal year 2017). The Comptroller's BRE anticipates a balance of \$510,000 in Fund 107 at the end of fiscal year 2017 that would be available for expenditure beginning in fiscal year 2018 because the bill does not effect the balances of Fund 107.

Local Government Impact

The Texas Association of Counties anticipates a positive fiscal impact to counties under the provisions of the bill due to an anticipated increase in grants to counties by the Texas Indigent Defense Commission to meet costs associated with indigent defense.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission

LBB Staff: UP, LBO, GDz, MWI, SSc, TBo, JGA