

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 21, 2019

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB301 by Murr (Relating to fees collected by a justice court; increasing a fee.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Local Government Code to increase fees for services rendered before judgment by a justice of the peace. The bill would eliminate the \$25 small claims court fee and would increase the fee charged by a justice of a peace for services rendered before judgment to \$50.

Under current law, the small claims court fee is \$25 and the justice court fee is \$25. The bill would eliminate the small claims fee. Small claims cases would be filed under the \$50 general fee established in the bill.

According to the Office of Court Administration (OCA), because fees increased by the bill are directed into the county treasury, no significant fiscal impact to the state is anticipated.

Local Government Impact

According to OCA, in fiscal year 2018, statewide there were 70,085 new small claims cases filed in justice court and 459,547 other new civil cases filed in justice courts, for a total of 529,632 cases. Fiscal year 2018 revenue from these cases is estimated by OCA to have been \$13,240,800 (\$25 x 70,085 small claims cases + \$25 x 459,547 justice court cases). Had these cases been charged fees under the fee structure established in the bill, the statewide total of county fees for fiscal year 2018 would have been \$26,481,600 (\$50 x 529,632 total cases). OCA therefore estimates that the bill would result in an estimated net increase of \$13,240,800 in revenue to local government per fiscal year.

According to Denton County, the positive fiscal impact from the bill would be approximately \$375,000 per year.

According to El Paso County, due to growth in the demand for these court services and the increase in fees from the bill, expected revenue would increase from \$508,278 in fiscal year 2019 to \$1,002,290 in fiscal year 2022.

According to Montgomery County, the county does not expect a significant fiscal impact from the

bill.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: WP, SLE, SD, GP