

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**March 9, 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: HB1021** by Moody (Relating to a prohibition on the imposition of court costs and filing or other fees on certain indigent defendants and plaintiffs.), **As Introduced**

**The bill would have a negative, but indeterminate, fiscal impact to the state due to anticipated decreases in court cost and fee revenue associated with the number of defendants and plaintiffs identified as indigent; however, the number of defendants and plaintiffs identified as indigent that would not be paying court costs and fees cannot be determined.**

The bill would amend the Government Code to prohibit courts from imposing court costs, filing fees, and other fees on indigent defendants and plaintiffs with indigency defined as an individual that does not earn more than 125 percent of income standard established by the federal government.

According to the Comptroller of Public Accounts, the bill would have a negative, but indeterminate, impact to court cost revenue to the state. The Office of Court Administration (OCA) does not collect information regarding the number of indigent litigants that have been assessed court costs and filing or other fees, nor the amount of costs and fees that have been paid by indigent defendants.

**Local Government Impact**

According to the Texas Association of Counties, Potter County, Guadalupe County and Bandera County all anticipate a significant negative fiscal impact under the provisions of the bill. Additionally, Cameron County anticipates an impact on the Comptroller of Public Accounts collection of court costs as a large amount the costs would be waived for their county.

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

**LBB Staff:** WP, SLE, MW, GDz, AF, LCO, SD, JGa