

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 22, 2019

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

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

IN RE: **SB560** by Kolkhorst (Relating to a plan and report on court-ordered representation for certain suits affecting the parent-child relationship.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for SB560, As Passed 2nd House: a negative impact of (\$300,000) through the biennium ending August 31, 2021.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill. The Texas Judicial Council is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the Texas Judicial Council may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2020	(\$300,000)
2021	\$0
2022	\$0
2023	\$0
2024	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
	1
2020	(\$300,000)
2021	\$0
2022	\$0
2023	\$0
2024	\$0

Fiscal Analysis

The bill would amend the Government Code to require counties to report to the Texas Judicial Council on court-ordered representation in suits affecting the parent-child relationship. The bill would require the Texas Judicial Council to develop a statewide plan requiring courts and counties to report information on court-ordered representation for appointments made in suits affecting the parent-child relationship filed by the government, to consider the costs to counties of implementing the plan, and to design the plan to reduce redundant reporting in developing the plan. The bill would require each local administrative district judge or judge-designated person for a court subject to the developed plan to prepare and provide to the Council a copy of all rules and forms used to appoint representation in suits affecting the parent-child relationship filed by the government and any fee schedule used for court-ordered representation by November 1 of each odd-numbered year. The bill would require the Judicial Council to annually publish a report electronically on the information submitted to it under the new reporting requirements, and to deliver that report to the governor, lieutenant governor, and speaker of the house of representatives.

The bill would require the Texas Judicial Council to develop the plan required by the bill as soon as practicable after September 1, 2019, and provides that counties and courts affected by the Texas Judicial Council's plan do not need to comply with the plan until September 1, 2020 at the earliest.

The bill would take effect September 1, 2019.

Methodology

Based on information provided by the Office of Court Administration (OCA), this analysis assumes that the agency would require \$300,000 in one-time costs associated with developing a tracking system to accept all of the required financial data, fee schedules, rules and forms submitted by the required local governments and for production of the annual report required in the bill.

OCA states that this project would be eligible for funding from General Revenue-Dedicated Statewide Electronic Filing Fund No. 5157 due to this account's eligible usage including support of court technology projects that have a statewide impact; however, it is unknown whether there will be sufficient funding available in this account in the 2020-21 biennium. Therefore, this analysis assumes General Revenue Funding would be needed to cover the obligations under the provisions of the bill.

This estimate assumes remaining duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Technology

Costs include \$300,000 to develop a statewide system capable of receiving all required information from the counties.

Local Government Impact

The OCA predicts there may be some cost to local governments to comply with the plan developed by the Texas Judicial Council, but no significant fiscal impact is anticipated.

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

LBB Staff: WP, SLE, AKi, MW, GDz, DA