

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**Revision 1**

**March 30, 2021**

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

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1177** by Crockett (Relating to a prohibition on the imposition of court costs and filing, reimbursement, or other fees on certain indigent defendants and plaintiffs.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Government Code to require, except in certain cases, a judge or justice in a civil or criminal case, including a judge or justice in an appellate court, to waive all court costs, filing fees, reimbursement fees, and any other fees imposed by law on a person if the court finds the person indigent, as that term is defined by the bill.

Based on information provided by the Office of Court Administration, no significant fiscal impact to the state court system is anticipated as a result of implementing the provisions of the bill.

**Local Government Impact**

The Community Supervision and Corrections Departments (CSCD) of Andrews County, Bastrop County, Brazoria County, Caldwell County, Cameron and Willacy County, Cherokee County, Collin County, East Texas, Ellis County, Guadalupe County, Haskell County, Hidalgo County, Hunt County, Kendall County, Lubbock County, Milam County, Moore, Dallam, Hartley, and Sherman Counties, Nacogdoches County, Rusk County, Upshur-Marion County, Webb County, the 38th and 454th Judicial Districts, the 271st Judicial District, and the 24th Judicial District anticipate a significant negative fiscal impact to their departments.

Austin, Fayette and Waller County CSCD anticipates a significant fiscal impact of \$325,000 annually in revenue losses. The counties rely on reimbursement fees for approximately 59 percent of the operating budget.

Dallas County anticipates a fiscal impact due to revenue losses in the amount of \$7.2 million.

Denton County CSCD anticipates a significant fiscal impact of approximately \$302,400 in revenue losses, as approximately 60 percent of the department operating budget is comprised of reimbursement fees.

Hardin County CSCD anticipates a significant fiscal impact of \$293,327 in total revenue losses, creating a shortfall of over 25% of the basic operating budget.

Harris County CSCD anticipates a significant fiscal impact due to revenue losses in the amount of \$7.1 million in FY22, \$14.5 million in FY23, \$19.0 million in FY24, \$20.2 million in FY25, and \$21.0 million in FY26.

Harrison County CSCD anticipates a significant fiscal impact of approximately \$316,082 in annual revenue losses, decreasing the overall department revenue collection by 66 percent.

Hockley County CSCD anticipates a significant fiscal impact of approximately \$28,000 in FY22, \$36,000 in FY23, \$48,000 in FY24, \$3,000 in FY25, and \$6,000 in FY26 due to new staff, transportation costs, and computer upgrades, as well as revenue losses of between \$30,000 and \$45,000 per fiscal year.

Kerr, Bandera, and Gillespie County CSCD anticipates a significant fiscal impact of \$479,656 per fiscal year.

McLennan County CSCD anticipates a significant fiscal impact of approximately \$1.8 to \$2.0 million annually due to revenue losses, comprising half of the current operating budget.

Midland County CSCD anticipates a significant fiscal impact of approximately \$888,000 in revenue losses annually, removing approximately 30 percent of the department's total funding.

Parker County CSCD anticipates a fiscal impact of \$500,000 annually due to revenue losses, as well as an impact to staffing and operational budgets, but in an amount that cannot be determined at this time.

Potter, Randall and Armstrong County CSCD anticipates a significant fiscal impact of approximately \$1,310,400 annually due to revenue losses from reimbursement fees.

Tarrant County CSCD anticipates a significant fiscal impact due to revenue losses in the amount of \$2.7 million in FY22, \$3.85 million in FY23, \$4.5 in FY24, \$5.0 million per fiscal year thereafter.

Taylor county CSCD anticipates a significant fiscal impact of approximately \$648,000 annually due to revenue losses, as 52 percent of the overall operating budget comes from the supervision and reimbursement fees.

Travis County CSCD anticipates a significant fiscal impact of approximately \$3.0 million.

The 110th Judicial District CSCD estimates a fiscal impact of \$50,000 per year, reducing the current total budget by approximately 40 percent.

**Source Agencies:** 212 Office of Court Admin

**LBB Staff:** JMc, SLE, MW, BH, AF, CMA