

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 13, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2714 by Hernandez (Relating to implicit bias training for justices and judges of state courts, judicial officers, certain court personnel, and attorneys licensed to practice law in this state.), **As Introduced**

The fiscal impact to the State cannot be determined because the costs to provide the implicit bias training required by the bill is unknown.

The bill would amend the Government Code to require certain judges, judicial officers, and court personnel to complete a training course on implicit bias regarding racial, ethnic, gender, religious, age, mental disability, and physical disability and sexual harassment issues. The bill would require the Court of Criminal Appeals (CCA) to approve a course that provides the instruction detailed by the bill and outlines what training the course instructor must have. The bill would require the CCA to adopt rules to administer the provisions no later than January 1, 2022.

The bill would require each attorney licensed in Texas to attend training on implicit bias and bias-reducing strategies to address certain topics. The bill would establish qualifications for a continuing education course on implicit bias and establish how often an attorney must complete it. The bill would require the Texas State Bar to approve continuing education under the new provisions.

The required training would be eligible for funding from the General Revenue-Dedicated Statewide Judicial and Court Personnel Training Fund No. 540. Appropriation authority for this fund is estimated in the General Appropriations Act (GAA), which authorizes the expenditure of all available revenues and balances for the two year period covered by the GAA. The Comptroller's Biennial Revenue Estimate anticipates \$32,151,000 to be available in Fund 540 for the 2022-23 biennium.

Based on the analysis of the Office of Court Administration (OCA), costs to provide the implicit bias training required by the bill cannot be determined. To the extent that available balances in Fund 540 would be sufficient to cover costs for the new training and other required allocations for judicial education training, there would be no significant fiscal impact to the State. If the available balances in Fund 540 would not be sufficient, General Revenue would be needed to cover any additional costs.

The bill would take effect September 1, 2021.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin, 304 Comptroller of Public Accounts

LBB Staff: JMc, SLE, MW, BH