

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 29, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2930 by Spiller (Relating to the jurisdiction of the Texas Supreme Court and the Court of Criminal Appeals.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2930, As Introduced : a negative impact of (\$479,310) through the biennium ending August 31, 2025.

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2024	(\$236,672)
2025	(\$242,638)
2026	(\$245,367)
2027	(\$251,397)
2028	(\$248,188)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable (Cost) from General Revenue Fund</i>	<i>Change in Number of State Employees from FY 2023</i>
2024	(\$236,672)	1.0
2025	(\$242,638)	1.0
2026	(\$245,367)	1.0
2027	(\$251,397)	1.0
2028	(\$248,188)	1.0

Fiscal Analysis

The bill would amend the Government Code to give the Supreme Court appellate jurisdiction to finally resolve a conflict between the Supreme Court and the Court of Criminal Appeals regarding the interpretation of a provision of the Texas Constitution on either submission of a writ of certiorari to the Supreme Court by a party to a proceeding in any court of the state or certification of a question of law from any federal court. The bill would also add a provision clarifying that the Supreme Court has authority in criminal actions for the purpose of resolving the constitutional conflict between the Supreme Court and the Court of Criminal Appeals added by the bill.

Methodology

Based on the analysis of the Office of Court Administration, the bill would create new docket volume for the

Supreme Court. It is assumed the Court would need to hire one staff attorney to assist with the increased docket and distinct subject matter and that the annual cost would be \$236,672 for fiscal year 2024 to cover the salary and related benefit costs for the attorney. Fiscal year 2024 includes one-time costs associated with setting up a new employee. Annual costs for fiscal years 2025-28 would be \$242,638, \$245,367, \$351,397, and \$248,188, respectively.

Salary, benefit, payroll contribution, and other personnel costs would total \$206,560 in fiscal year 2024; \$219,349 in fiscal year 2025; \$221,989 in fiscal year 2026; \$224,629 in fiscal year 2027; and \$224,629 in fiscal year 2028.

Operating costs would total \$30,112 in fiscal year 2024; \$23,289 in fiscal year 2025; \$23,378 in fiscal year 2026; \$26,768 in fiscal year 2027; and \$23,559 in fiscal year 2028. Fiscal year 2024 includes one-time expenses for the purchase of furniture, cell phones, and information technology equipment.

Local Government Impact

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

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

LBB Staff: JMc, KDw, MW, JPa