

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 12, 2023

TO: Honorable Todd Hunter, Chair, House Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4081 by Clardy (Relating to the referral of certain proceedings to an associate judge and requests for reimbursement of all or part of the associate judge's salary.), **As Introduced**

The fiscal implications of the bill cannot be determined because the number of counties that would employ an associate judge contemplated under the bill, the number of associate judges for which this bill would apply, and the commissioners courts that would request the optional reimbursement from the state is unknown.

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 bill would amend the Government Code to authorize counties to request reimbursement from the state for all or part of the salary paid to an associate judge to whom the judges in the county give preference when referring cases involving criminal trespass under Penal Code Sec. 30.05 by a person who is not lawfully present in the United States. The reimbursement request would be made to the Texas Judicial Council and be paid from money appropriated to the Council for the purpose of border security. The bill would also authorize the Council to adopt rules to implement the bill's provisions.

According to the Office of Court Administration and Comptroller of Public Accounts, the total cost of the bill cannot be determined because the number of counties that would employ an associate judge contemplated under the bill, the number of associate judges for which this bill would apply, and the commissioners courts that would request the optional reimbursement from the state is unknown. The cost for each associate judge employed by a county would total \$190,361 including a salary of \$126,000 (90 percent of a district judge salary) and benefit costs totaling \$64,361.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 327 Employees Retirement System

LBB Staff: JMc, SMAT, MW, JPa, CMA