

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 4, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4128 by Murr (Relating to associate judges for guardianship proceedings and protective services proceedings in certain courts.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4128, As Introduced : a negative impact of (\$846,523) through the biennium ending August 31, 2025.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2024	(\$426,425)
2025	(\$420,098)
2026	(\$420,098)
2027	(\$438,688)
2028	(\$428,561)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable (Cost) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2023</i>
2024	(\$426,425)	3.0
2025	(\$420,098)	3.0
2026	(\$420,098)	3.0
2027	(\$438,688)	3.0
2028	(\$428,561)	3.0

Fiscal Analysis

The bill would amend the Government Code to designate associate judges in guardianship and protective services and their court coordinators and court investigators as state employees.

The bill would allow state money to be used to pay the salary of an associate judges appointed to oversee and monitor guardianships and protective services proceedings. The bill would also allow for the payment of salaries from state money to compensate personnel employed to assist each associate judge for guardianship and protective services. The bill would designate associate judges for guardianship and protective services and their court coordinators and court investigators as state employees for all purposes, specifically for accruing

leave, insurance benefits, retirement benefits, and travel regulations.

Under the provisions of the bill, the presiding judges of the administrative judicial regions, state agencies, and counties would be authorized to seek federal and state money and private grants to cover the cost and salaries of associate judges and their personnel. Presiding judges and the office of court administration in cooperation with state agencies and counties would be authorized to take action necessary to maximize federal money available to fund the associate judges and their personnel. The Office of Court Administration (OCA) would be required to make available upon request guardianship compliance specialists and other resources to assist associate judges overseeing and monitoring guardianships.

Methodology

Costs reflected in the table above are based on information provided by the OCA and assume the appointment of one associate judge with one court coordinator and one court investigator. Salaries and other operating costs for an associate judge and court coordinator are estimated using actuals for current OCA staff. The investigator salary estimate is based on similar positions in the judicial branch.

This analysis assumes the total cost for an associate judge, court coordinator, and court investigator (excluding benefits) would be \$351,788 in fiscal year 2024, \$343,640 in fiscal years 2025-2026, \$362,230 in fiscal year 2027, and \$352,103 in fiscal year 2028. Benefit costs total \$74,637 in fiscal year 2024, and \$76,458 in fiscal years 2025-2028. Total salary and benefit costs would be \$320,720 in fiscal year 2024, and \$328,546 in fiscal years 2025-2028. Other operating costs would total \$91,214 in 2024, \$69,051 in fiscal years 2025-2026, \$79,721 in fiscal year 2027, and \$69,594 in fiscal year 2028.

Technology

OCA provides technology services to the judicial branch so the technology costs are to be appropriated to the Office of Court Administration for the purchase of laptops, monitors, printers and software, which will be replaced in the fourth year.

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, KDw, MW, JPa