

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATURE 1st CALLED SESSION 2025

August 10, 2025

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **SB16** by Hughes (Relating to the operation and administration of and practices and procedures related to proceedings in the judicial branch of state government, including court security, court documents and arrest warrants, document delivery, juvenile boards, constitutional amendment election challenges, record retention, youth diversion, court-ordered mental health services, the powers of the Texas Supreme Court, and jurors; increasing a criminal penalty; authorizing fees.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB16, As Introduced: a negative impact of (\$5,780,155) through the biennium ending August 31, 2027.

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>
2026	(\$2,121,808)
2027	(\$3,658,347)
2028	(\$3,697,842)
2029	(\$4,606,519)
2030	(\$5,335,570)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund 1</i>	<i>Probable Savings/(Cost) from Judicial Fund 573</i>	<i>Probable Savings/(Cost) from Other Special State Funds 998</i>	<i>Change in Number of State Employees from FY 2025</i>
2026	(\$2,121,808)	(\$63,166)	(\$14,343)	10.0
2027	(\$3,658,347)	(\$114,596)	(\$26,022)	15.0
2028	(\$3,697,842)	(\$115,882)	(\$26,314)	15.0
2029	(\$4,606,519)	(\$135,682)	(\$30,810)	18.0
2030	(\$5,335,570)	(\$149,825)	(\$34,021)	19.0

Fiscal Analysis

The bill would amend various chapters of the Government Code as it relates to district courts, statutory county courts, visiting judges, criminal law magistrates, jurors, and court administration.

The bill would amend the Government Code to create new judicial districts in: Brazoria County, the 490th Judicial District to be created on September 1, 2026; Colorado and Lavaca Counties, the 492nd Judicial

District to be created on September 1, 2026; Fort Bend County, the 501st and 502nd Judicial Districts to be created on the effective date of the bill; Rockwall County, the 503rd Judicial District to be created on the effective date of the bill; Ellis County, the 504th Judicial District to be created on the effective date of the bill; Comal County, the 511th Judicial District to be created on September 1, 2026; Williamson County, the 512th Judicial District to be created on the effective date of the bill; Harris County, the 513th, 514th, and 515th Judicial Districts to be created on January 1, 2026; and Harris County, the 516th and 517th Judicial Districts to be created on October 1, 2026. The bill would rename and revise the composition of the 522nd Judicial District and the 274th Judicial District. The bill would revise the composition of the Second and Third Business Court Divisions.

The bill would create Place 4 and Place 5 of the 15th Court of Appeals beginning respectively on September 1, 2028, and September 1, 2029.

The bill would revise the jurisdiction of the office of the district attorney for the 1st Judicial District and revise the electorate of the 293rd Judicial District. The bill would create a new office of the district attorney for the 273rd Judicial District on January 1, 2029 and a new office of the district attorney for the 365th Judicial District on January 1, 2029. The bill would add Fayette County to the list of county attorneys that are subject to the Professional Prosecutors Act.

The bill would increase the amount in controversy limit in civil actions filed in statutory county courts from \$250,000 to \$325,000.

The bill would require each county to pay to the presiding judge an amount to cover the salary and expenses of the statutory probate court (if any) from the Judicial Education and Support Fund.

The bill would revise the jurisdiction, county pay and operations of statutory county courts in Aransas, Atascosa, Bowie, Hidalgo, Montgomery, Potter, Tom Green, and Wichita Counties as well as the 2nd Multicounty Court at Law. The bill would create in Hidalgo County, Probate Court No. 2 and would create in Harris County, a new statutory county court at law on the effective date of the bill or immediately if the bill receives the sufficient number of votes.

The bill would authorize the presiding judge of the statutory probate courts to assign a former or retired justice of an appellate court to hear certain cases and would permit a former or retired justice of an appellate court to be assigned by the presiding judge to hold court. The bill would provide that a former or retired judge or justice assigned under Section 25.0022 Government Code to a constitutional county court in a county in the Texas-Mexico border region is entitled to compensation equal to the maximum salary a district judge may receive from county and state sources under certain conditions.

The bill would provide that a former or retired judge or justice serving on assignment for an appellate court is entitled to compensation equal to the salary of a court of appeals justice with comparable years of service. The bill would provide that a former or retired judge or justice assigned as a judicial mentor is entitled to the same salary, compensation, and expenses that the judge or justice would be entitled to if they had been assigned under Chapter 74 to serve as judge of the trial court in the administrative judicial region. The bill would provide that the salary of a former or retired judge or justice assigned to a district court is determined pro rata based on the sum of the regular judge's salary from the county plus the state salary paid to a district judge with eight years of service.

The bill would require certain prosecutors to report certain information to the Texas Judicial Council.

The bill would revise the qualifications to be a master, magistrate, referee, or associate judge.

The bill would authorize a fee for filing an ex parte petition for expunction to defray the cost of notifying state agencies of expunction orders.

The bill would require the Office of Court Administration (OCA) to hold an annual leadership conference to provide information to certain judges and court administrators and would authorize OCA to reimburse attendees.

The bill would prohibit a specialty court program from operating unless certain conditions were met.

The bill would require judicial training to include training on elder abuse and neglect.

The bill would revise the composition of the juvenile boards of Bee County, Grayson County, Live Oak County, Comal County and McMullen County.

The bill would increase the criminal penalty for the offense of harassment from a Class B misdemeanor to a Class A misdemeanor if committed against a court employee. The offense would be increased to a state jail felony if committed against a court employee and the actor has been previously convicted of the offense or committed against a judge, and a third-degree felony if committed against a judge and the actor has been previously convicted of the offense.

The bill would revise the membership and duties of a court security committee established by a local administrative judge.

Methodology

Costs assumed by this analysis that are reflected in the table above are based on information provided by OCA and the Comptroller of Public Accounts (CPA).

This analysis assumes the cost of thirteen district judges, two appellate court judges, two district attorneys, one new statutory probate court, one new statutory county court, the addition of one district attorney to the Professional Prosecutors Act, related benefit and expense costs, and compensation for judicial mentorship. For the purposes of this analysis, judicial and prosecutorial salaries are based on the current annual base salary of a district judge, or \$175,000.

According to CPA, the agency would require \$1,079,167 in General Revenue in fiscal year 2026 to cover judicial salaries for the eight district courts proposed to be established that year, this includes the prorated amount for five district courts that would be created on the effective date of the bill and three district courts that would be created on January 1, 2026. In fiscal year 2027, the agency would require an additional \$1,166,667 in General Revenue for the two district courts that would be created on October 1, 2026; three additional district courts; five prorated courts created on the effective date of the bill; and three prorated courts to be created on January 1, 2026. The agency also anticipates \$15,500 in fiscal year 2026 and \$25,667 in fiscal year 2027 for travel expenses for judges.

CPA would also require \$210,000 each fiscal year for a statutory county court in both Harris and Hidalgo counties and \$143,745 each fiscal year for compensation related to the judicial mentorship program.

CPA indicates that the provisions of the bill that authorize additional compensation to visiting judges serving in the Texas-Mexico border region cannot be estimated because the extent to which exigent circumstances would require visiting judges is unknown.

The bill would revise the compensation rate for visiting judges at both the appellate and district court levels from the base salary of a district judge to the salary of a jurist with comparable years of service, based on the years of service the visiting judge had on the last day of service in judicial office.

According to OCA, the agency would require \$158,669 each fiscal year to implement a Court Leadership conference and provide reimbursements to attendees and \$40,000 in fiscal year 2026 to add data fields to the court electronic reporting system to facilitate the reporting of certain information by prosecutors.

According to OCA, the creation of Place 4 and Place 5 to the 15th Court of Appeals in FY28 and FY29 respectively, would require the court to relocate as the current chambers cannot accommodate additional judges and staff. New construction and lease expenses may be necessary if a suitable place cannot be located within the Capitol Complex.

Benefits include the 19.25 percent state contribution to the Judicial Retirement System Plan 2 of \$275,836 in fiscal year 2026 and \$500,419 in fiscal year 2027 in All Funds as well as state contributions for the ERS

retirement plan, Social Security, and agency payroll contributions for retirement and health insurance of \$276,400 in fiscal year 2026 and \$514,632 in fiscal year 2027 in All Funds.

The impact on state correctional populations or on the demand for state correctional resources cannot be determined due to the lack of data to estimate the prevalence of conduct outlined in the bill's provisions that would be subject to increased criminal penalties.

Technology

These costs include technology impacts of \$40,000 in fiscal year 2026 for OCA to add data fields to the Court Analytics system.

Local Government Impact

There could be an impact on units of local government associated with the provisions of the bill governing local court functions and operations. Local governments pay the other operating costs associated with a district court, county court at law, and statutory probate court.

While the fiscal impact cannot be determined, increasing the penalty for an existing offense may result in increased demands upon local correctional resources due to a possible increase in the number of individuals placed under supervision in the community or sentenced to a term of confinement.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 307 Secretary of State, 327 Employees Retirement System, 405 Department of Public Safety, 530 Family and Protective Services, Department of

LBB Staff: JMc, CMA, DA, NTh, KDw, NV