

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 29, 2011

TO: Honorable Chris Harris, Chair, Senate Committee on Jurisprudence

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB734 by Patrick, Diane (Relating to the jurisdiction of constitutional county courts over truancy cases and the appointment of magistrates to hear truancy cases in certain counties.),
As Engrossed

No fiscal implication to the State is anticipated.

Generally, the criminal offenses of failure to attend school and parent contributing to nonattendance are adjudicated in justice and municipal courts. However, under current law, in counties with populations of 2 million or more (Harris and Dallas counties), an option exists to file these cases in the constitutional county court. The bill would expand this option to counties with populations of 1.75 million or more adding Tarrant County to the counties so authorized. Additional expenses, if any, would be borne by the affected county and not by the state.

Local Government Impact

The number of relevant cases adjudicated will not be increased in the affected county. It is assumed that these cases would generally be handled by special magistrates on behalf of the constitutional county court. While the overall cost of adjudicating truancy cases would not be significantly different, expenses would be shifted from justice and municipal courts to the constitutional county court in the county affected by this bill. Savings realized by justice and municipal courts would be offset by costs realized by constitutional county court.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 701 Central Education Agency

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