

**CBO's Estimate of the Statutory Pay-As-You-Go Effects of H.R. 8235, the Open Courts Act of 2020, as Posted on the Website of the Clerk of the House on December 8, 2020**

	By Fiscal Year, Millions of Dollars										2021-2025	2021-2030
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030		
	<b>Net Increase in the Deficit</b>											
Pay-As-You-Go Effects	0	2	2	2	1	1	1	0	0	0	6	9
<b>Memorandum:</b>												
Increases in Outlays	6	8	8	7	7	4	2	1	1	1	36	46
Increases in Revenues	6	6	6	6	5	3	1	1	1	1	30	37

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays and revenues that are subject to those procedures are shown here.

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Estimates relative to CBO's March 2020 baseline. Components may not sum to totals because of rounding.

H.R. 8235 would require the Administrative Office of the United States Courts (AOUSC), working in coordination with the General Services Administration, to develop and implement a modernized software system to manage the electronic records of the court. The legislation would require that public court records be accessible to the public, and would authorize the AOUSC to impose new fees—particularly on high-volume, for-profit users—to cover the costs of developing and maintaining the new system.

If enacted, CBO expects those fees would generate \$47 million in additional revenue over the 2021-2030 period, mostly from high-volume users of the system. CBO believes that the new fees should be recorded in the budget as revenues, because they are new and an exercise of the government's sovereign power over the federal judiciary. Those revenues would be offset by a decline in other revenues of approximately 22 percent to account for indirect tax effects. As a result, CBO estimates that the legislation would increase net revenues by \$37 million over that period.

Under the bill, the additional revenue would be deposited in the Judiciary Information Technology Fund, and the AOUSC would be authorized to spend those fees without further appropriation. As a result, CBO estimates H.R. 8235 would increase direct spending by \$46 million over the 2021-2030 period. CBO expects that most of those costs would be incurred during the 2021-2025 period as major work on software development is completed and the system is deployed across the federal judiciary.

On net, CBO estimates that enacting H.R. 8235 would increase the deficit by \$9 million over the 2021-2030 period.

If enacted, H.R. 8235 also would affect spending subject to appropriation by the AOUSC; CBO has not completed an estimate of that effect.