

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 8, 2003

TO: Honorable Jaime Capelo, Chair, House Committee on Public Health

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB49 by Turner (Relating to the authority of the Texas Department of Health regarding sanitation and privacy in public school restrooms.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB49, As Introduced: a negative impact of (\$483,771) through the biennium ending August 31, 2005.

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:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$226,216)
2005	(\$257,555)
2006	(\$257,555)
2007	(\$257,555)
2008	(\$257,555)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1
2004	(\$226,216)
2005	(\$257,555)
2006	(\$257,555)
2007	(\$257,555)
2008	(\$257,555)

Fiscal Analysis

The bill relates to the authority of the Department of Health (TDH) regarding sanitation and privacy in public school restrooms. The bill would require TDH to adopt rules regarding sanitation and privacy in public school restrooms, and to send the proposed rules to the Texas Education Agency for review and comment. The bill would require TDH or local health departments to inspect each public school for compliance with the rules at least once every three years. The bill would also require TDH to allow school districts reasonable time to comply with the rules as adopted. If the bill is enacted, the provisions of the bill would take effect on September 1, 2003.

To implement the provisions of the bill, TDH estimates that total cost in fiscal year 2004 would be \$226,216 and total cost in fiscal years 2005-08 would be \$257,555 per year.

According to the Texas Department of Health (TDH), 5 FTEs would be needed to implement the provisions of the bill. Salary and employee benefits would total \$385,630 (expenditures in the first year are reduced by 25 percent because of start-up period) for the 2004-05 biennium. Travel expenditures associated with conducting the inspections are estimated at \$15,000 in fiscal year 2004 and \$20,000 each year in fiscal years 2005-08. Other operating costs are estimated at \$31,800 in fiscal year 2004 and \$7,000 in fiscal year 2005. TDH includes a one time cost of \$6,500 to purchase five personal computers.

Methodology

The Texas Department of Health assumes the agency would need to inspect only the public schools, estimated at 1,600 facilities, in its jurisdiction, to be in compliance with the bill's provisions. TDH indicates that local health departments would be required to inspect the estimated 7,000 facilities in their jurisdictions. Although TDH already attempts to annually inspect all 1,600 public schools in its jurisdiction, the agency would at a minimum inspect 533 annually to comply with HB 49. TDH assumes that few local health departments will comply with the bill's requirements and therefore TDH will have to inspect the public school restrooms in the local health departments' jurisdictions as well. TDH estimates that the agency would inspect 2,334 of these public school restrooms annually, as well.

TDH estimates that 4 hours of staff time is required to inspect a public school restroom and would require five additional FTEs (1,849 available work hours per FTE) to perform the inspection. (2,334 public school restrooms X 4 hours per inspection = 9,336 additional hours annually). The agency assumes a start-up period of 3 months in fiscal year 2004, therefore certain costs are reduced by 25% in fiscal year 2004 compared to fiscal years 2005-08.

Technology

Included in the cost estimate is \$6,500 for 5 personal computers at \$1,300 each.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 501 Department of Health, 701 Central Education Agency

LBB Staff: JK, KF, EB, RM