

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 6, 2003

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB79 by Wise (Relating to certain persons entitled to possession of or access to a child.),
Committee Report 1st House, Substituted

Estimated Two-year Net Impact to General Revenue Related Funds for HB79, Committee Report 1st House, Substituted: an impact of \$0 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	\$0
2005	\$0
2006	\$0
2007	\$0
2008	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>CRIME VICTIMS COMP ACCT</i> 469
2004	(\$136,026)
2005	(\$138,774)
2006	(\$141,522)
2007	(\$145,644)
2008	(\$148,392)

Fiscal Analysis

The bill would add a presumption that the mother of a child is entitled to exclusive possession of a child who is born out of wedlock under certain circumstances.

The bill would also require the Office of the Attorney General (OAG) to reimburse a victim for costs associated with the location and recovery of a child who was wrongfully taken or retained by his or her parent. The bill requires that the compensation be awarded in the same manner as awarding compensation for loss arising from criminally injurious conduct.

Methodology

Based upon historical data from arrest records, the OAG assumes that 99 arrests will be made for the crime of interference with child custody in FY 2004. The OAG assumes that this will increase by 2.3% per year. The OAG assumes that each case will result in a claim for compensation from the Crime Victims' Compensation Fund, and payments will average \$1,374 per case.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 530 Department of Protective and Regulatory Services

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