

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 26, 2003

TO: Honorable Frank Corte, Chair, House Committee on Defense Affairs and State-Federal Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB198 by Berman (Relating to allowing a veteran to remove from the county clerk's possession all copies of a military discharge record the veteran has recorded with the county clerk.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend Section 192.002, Local Government Code, to allow a veteran or the veteran's legal guardian to direct the county clerk to destroy or deliver to the veteran or the guardian all copies of the veteran's military discharge records on file with the clerk's office. The bill would take effect immediately if it were to receive a vote of two-thirds of all members of each house; otherwise, it would take effect September 1, 2003.

Local Government Impact

Several county clerks' offices provided information regarding the fiscal impact of the bill. The county clerk in Williamson County said the county would experience increased costs of \$100,000 per year from implementation of the bill. Williamson County has 14 volumes of veteran records with 1,000 pages in each volume, which could result in a large number of new transactions for the county clerk's office to retrieve. Destroying the military discharge records would also require that microfiche be spliced and computer disks be updated to remove military records from existing files.

The Tarrant County Clerk's Office estimates that it would incur an expense of \$150,000 for software changes. According to the clerk's office, requests received for a copy of a military discharge record would require additional time to process because the county clerk would have to validate that an expunged document was returned to the requestor. They estimate the cost to destroy a military record would be almost \$25 per record, including \$7 for salaries, \$10 for film replacement, and \$5 for postage and handling. There also would be an annual storage cost of \$888 to safekeep the military books in a secure area. Over 160,000 military discharge records are already on file in Tarrant County.

The Red River County Clerk's Office reported that the bill would have a \$20,000 negative fiscal impact on their county.

The Harris County Clerk's Office reported that they would have to hire two additional deputy clerks at a combined annual salary of \$50,532 (not including benefits) to monitor microfilm usage and to ensure that the records would not be released to the public. They also estimated there would be a \$5,000 software fee and an \$11,000 charge for new microfilm.

Counties would experience a negative fiscal impact each year, and the impact during the first year of implementation could be significant, especially for small counties. The fiscal implications to units of local government would vary by county based on the number of military discharge records filed, the type of system already in place for maintaining the records, and how many requests are received to have the records removed or destroyed.

Source Agencies: 304 Comptroller Of Public Accounts

LBB Staff: JK, WK, JB, DLBa