

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 10, 2003

TO: Honorable Robert Talton, Chair, House Committee on Urban Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB279 by Moreno, Paul (Relating to the establishment in certain municipalities of boards to receive and act on complaints of police misconduct.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to allow the governing body of a municipality with a population of more than 200,000 to establish a community relations board to receive and dispose of complaints filed against police officers. The bill outlines the composition of the board, members' terms, and how the board would operate. Board members would not receive compensation for service on the board, but could be reimbursed for actual expenses incurred on board business as provided by the governing body of the municipality. In a municipality where there is an internal affairs division or similar body that investigates complaints against police officers, the board would serve in an appellate function if the complainant is dissatisfied with the internal affairs division's disposition of the complaint. In a municipality that does not have an internal affairs division or similar body, citizens would be allowed to file their complaint directly with the board. If a municipality has a civil service commission and that commission issues a decision that differs with the community relations board's disposition, the board's decision would prevail.

The bill would take effect September 1, 2003 and would apply only to an act committed or alleged to have been committed by a law enforcement officer on or after that date.

Local Government Impact

The population bracket of the bill would apply to 10 municipalities: Arlington, Austin, Corpus Christi, Dallas, El Paso, Fort Worth, Garland, Houston, Plano, and San Antonio. Four of the applicable cities responded to an inquiry regarding the estimated potential fiscal impact of the bill.

Corpus Christi based its estimate on the assumption that if they were to establish a community relations board, they would use the same structure as used in the City of Austin for its existing board. By adjusting the budget of the Austin board (operating budget for fiscal year 2001–02 of \$542,680) to the size of Corpus Christi, the Corpus Christi budget office estimates an annual cost of \$348,721 to operate a community relations board, with the budget increasing by 3 percent each year. It is noted, however, that the board in Austin includes full-time employees that liaison with the board, whereas, the bill would only require board members be appointed and the board would not be compensated. The City of Corpus Christi budget office stated that the fiscal impact would be significant to the city's general fund.

The City of Dallas intergovernmental affairs office stated that there would be no significant fiscal impact for Dallas because the police department already has a community relations board in place.

The finance office in the City of Fort Worth stated that if the city were to implement the provisions of the bill, the fiscal impact would be insignificant.

The Houston Police Department estimated that the costs associated with implementing the bill would include salaries for classified staff, administrative staff, office space, equipment costs, and costs of

overtime for employees answering subpoenas. The estimate also included salaries for board members, which based on provisions of the bill would not be applicable. Assuming 10 percent of the complaints filed were to be appealed to the board, the department estimated an annual cost increase of \$487,915, which is a little over 1 percent of the police department's annual budget.

Municipalities that would chose to implement the provisions of the bill would incur costs, at a minimum for operational expenses for the board and any overtime required for existing staff. The fiscal impact would vary depending on the method of support provided to the board and the structure established for interaction between the city or police department and the board, ranging from insignificant to significant.

Source Agencies:

LBB Staff: JK, DLBa, JB