

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 14, 2003

TO: Honorable Terry Keel, Chair, House Committee on Criminal Jurisprudence

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB478 by Farrar (Relating to including certain victims of arson as victims who are eligible to receive crime victims' compensation.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB478, 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.

The bill would amend Article 56.32(a)(11) of the Code of Criminal Procedure to include an individual who loses his or her home as a result of arson in the definition of a victim and amends Article 56.42(d) to allow payments from the Compensation to Victims of Crime Fund to assist arson victims with relocation and housing rental expenses.

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	(\$2,093,766)
2005	(\$2,087,291)
2006	(\$2,087,291)
2007	(\$2,087,291)
2008	(\$2,087,291)

Fiscal Analysis

Compensation to victims of crime is currently awarded to victims of arson if the victim is in his or her home at the time of the criminal offense (as the victim's presence does pose a substantial threat of personal injury or death). The bill would expand benefits to victims of arson who are not in their homes at the time of the incident and expand benefits to include rent and relocation expenses. Using data from the 2001 Uniform Crime Report published by the Texas Department of Public Safety, the Office of the Attorney General (OAG) estimated 3,000 residences were affected by arson in 2001. If

arson victims apply for compensation at the same general rate as other victims, about 20% of eligible victims or 600 new applications per year may be eligible for compensation.

Methodology

An analysis of victim compensation payments made on arson claims since the beginning of fiscal year 2000 reflects the OAG paying an average of \$1,500 per application for non-medical and non-funeral related expenses such as mental health counseling and lost wages for attendance at court proceedings. The Compensation to Victims of Crime Division at the OAG currently provides assistance for rent and relocation expenses to victims of family violence and certain sexual assaults. An analysis of these payments showed that in fiscal year 2002, the division paid an average of \$1,900 to each victim who received the benefit. This cost estimate assumes victims of arson could be eligible for up to \$2,040,000 in annual payments. The OAG estimated \$42,376 in salaries and fringe benefits and \$11,390 in other operating expenses for fiscal year 2004 and \$42,376 in salaries and fringe benefits and \$4,915 in other operating expenses for fiscal year 2005-08.

Technology

There is a one-time cost of \$1,075 in fiscal year 2004 for technology requirements.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office Of The Attorney General

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