

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 29, 2003**

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

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB2245** by Pena (Relating to the use of proceeds from criminal asset forfeiture to fund certain activities sponsored or conducted by the Texas Commission on Alcohol and Drug Abuse.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2245, As Introduced: a negative impact of (\$1,058,306) 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:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2004	(\$529,153)
2005	(\$529,153)
2006	(\$529,153)
2007	(\$529,153)
2008	(\$529,153)

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Revenue (Loss) from GENERAL REVENUE FUND 1</b>	<b>Probable Revenue Gain from General Revenue Dedicated — Substance Abuse Prevention</b>
2004	(\$529,153)	\$529,153
2005	(\$529,153)	\$529,153
2006	(\$529,153)	\$529,153
2007	(\$529,153)	\$529,153
2008	(\$529,153)	\$529,153

**Fiscal Analysis**

The bill would amend the Code of Criminal Procedure as it relates to the use of proceeds from criminal asset forfeiture to fund certain activities sponsored or conducted by the Texas Commission on Alcohol and Drug Abuse. Because the bill would create dedicated accounts in the General Revenue Fund, the accounts included in this bill would be subject to funds consolidation review by the current Legislature.

**Methodology**

The bill would require the Department of Public Safety to transfer 10% of the funds received from criminal asset forfeiture seizures into the General Revenue - Dedicated Account for Substance Abuse

Prevention and Treatment. Based upon a three-year average of criminal asset forfeiture seizures (\$5,291,535), it is estimated that \$529,153 per fiscal year would be transferred to the account from the General Revenue Fund.

### **Local Government Impact**

No fiscal implication to units of local government is anticipated. Implementation of the bill would involve shifting a portion of current asset forfeitures to alcohol and drug abuse prevention programs. No increase or decrease of funds is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 405 Department of Public Safety, 517 Commission on Alcohol and Drug Abuse

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