

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

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

**March 18, 2003**

**TO:** Honorable Rodney Ellis, Chair, Senate Committee on Government Organization

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

**IN RE: SB265** by Lucio (Relating to continuation and functions of the State Board for Educator Certification.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB265, As Introduced: a positive impact of \$1,002,404 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	\$461,202
2005	\$541,202
2006	\$541,202
2007	\$541,202
2008	\$541,202

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

Fiscal Year	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND 1</i>	Probable Revenue Gain/ (Loss) from <i>GENERAL REVENUE FUND 1</i>	Change in Number of State Employees from FY 2003
2004	(\$1,484,798)	\$1,946,000	6.0
2005	(\$1,434,798)	\$1,976,000	6.0
2006	(\$1,434,798)	\$1,976,000	6.0
2007	(\$1,434,798)	\$1,976,000	6.0
2008	(\$1,434,798)	\$1,976,000	6.0

**Fiscal Analysis**

The bill would continue State Board for Educator Certification (SBEC) for another twelve years, as recommended by the Sunset Advisory Commission. The bill would incorporate a recommendation by the Sunset Advisory Commission that the agency obtain all state and national criminal history information relating to an applicant for or holder of a certificate or permit issued by SBEC or by a school district. SBEC would be authorized to collect a fee that defrays all costs associated with obtaining such criminal history information. Presently, SBEC performs only a statewide criminal history check on applicants for certificates or permits. to obtain all state and national criminal history information relating to an applicant for or holder of a certificate or permit issued by SBEC or by a school district.

The bill would also authorize the agency to issue provisional certificates to applicants who have an active certification in another state but have not yet passed certification examinations comparable to this state's examinations. Currently, the agency issues provisional certificates to applicants regardless of whether the out-of-state certificate is active or has lapsed.

Also, the bill would establish an increased fee for renewing a educator certificate after it has expired. The agency has not yet establish a fee schedule for certification renewal. The first cohort of educators required to renew their certificates within five years will be issued renewals in fiscal year 2005.

## **Methodology**

SBEC expects to process approximately 48,000 national fingerprint-based criminal history checks annually, namely, the new responsibility that would be required by the bill. Assuming a \$42 processing fee, SBEC estimates the state would collect \$2,016,000 annually. Annual agency operating and personnel costs are estimated at \$160,475 in fiscal year 2004 and \$110,475 in subsequent fiscal years, with two additional full-time equivalent employees.

The Department of Public Safety (DPS) would receive \$39 of the \$42 fee from the SBEC certification process. The Federal Bureau of Investigation charges \$24 for fingerprint-based criminal history checks (\$1,152,000 annually), leaving DPS with the remaining \$15. Annual operating costs at DPS are estimated at \$172,323 in fiscal year 2004 and all subsequent years, with four additional full-time equivalent employees. Combined with the FBI fingerprint charge, total DPS annual costs are estimated at \$1,324,323 each year.

Operating costs for both agencies (SBEC and DPS) are estimated at \$332,798 in fiscal year 2004 and \$282,798 for all subsequent years, with six additional full-time equivalent employees. Combined with the FBI fingerprint cost results in total annual costs of \$1,434,798 in fiscal year 2005 and subsequent years. Subtracting these costs from revenues generated yields a net gain to the state of approximately \$580,000 per year associated with the fingerprint requirement.

The State Board for Educator Certification anticipates that the requirement that applicants for a provisional certificate must have an active out-of-state certification will result in a certification fee annual revenue loss of \$70,000. The agency also projects that the increased certification renewal fee after expiration will result in a revenue gain of \$30,000 beginning in fiscal year 2005.

The combined result of all these revenue effects, including the \$2 million fingerprint fee revenue, is a net revenue gain of \$1,976,000 in fiscal year 2005 and all future years, less approximately \$1,435,000 annually in administrative and processing costs.

## **Technology**

The State Board for Educator Certification projects an information technology cost of \$50,000 in fiscal year 2004.

## **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 116 Sunset Advisory Commission, 405 Department Of Public Safety, 705 State Board For Educator Certification

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