

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION
Revision 1

March 22, 2005

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

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB1751 by Pena (Relating to certain criminal defendants paying restitution to the compensation to victims of crime fund.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1751, As Introduced: an impact of \$0 through the biennium ending August 31, 2007.
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General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2006	\$0
2007	\$0
2008	\$0
2009	\$0
2010	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from <i>CRIME VICTIMS COMP ACCT</i> 469
2006	\$2,000,000
2007	\$2,000,000
2008	\$2,000,000
2009	\$2,000,000
2010	\$2,000,000

The bill would amend the Texas Code of Criminal Procedure by adding language to make ordering restitution mandatory and require that restitution to be deposited to the credit of the Compensation to Victims of Crime (CVC) fund.

Fiscal Analysis

The CVC Program currently collects approximately \$750,000 each year in restitution from offenders for payments the program has made to or on behalf of victims. The bill would positively impact the Compensation to Victims of Crime fund by approximately \$2 million per fiscal year.

Methodology

Upon determining the maximum amount of restitution the CVC fund might receive each fiscal year (\$6,835,886), that amount was multiplied by 40 percent to account for a collection rate of approximately 50 percent which was further adjusted by 10 percentage points for applications that involve suspects that are either not charged or that are not found guilty.

Therefore, collections of \$6,835,886 was multiplied by the adjusted collection rate of 40 percent, resulting in an estimated annual collections of \$2,734,354. Since approximately \$750,000 is already collected, the net result of \$2 million per fiscal year is projected.

Technology

None.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts

LBB Staff: JOB, KJG, MS