

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

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**May 18, 2005**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

**IN RE: HB2036** by Allen, Ray (Relating to the regulation of sex offender treatment providers and the treatment of sex offenders; providing a penalty.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2036, As Engrossed: a positive impact of \$26,100 through the biennium ending August 31, 2007.

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>
2006	\$26,100
2007	\$0
2008	\$17,400
2009	\$0
2010	\$17,400

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

<b>Fiscal Year</b>	<b>Probable Revenue Gain from GENERAL REVENUE FUND 1</b>
2006	\$26,100
2007	\$0
2008	\$17,400
2009	\$0
2010	\$17,400

**Fiscal Analysis**

The bill would amend the Health and Safety Code and the Occupations Code to create a new mandatory regulatory structure for sex offender treatment providers. The bill contains provisions for hearings, penalties, and license suspensions for sex offender treatment providers. The Council on Sex Offender Treatment, overseen by the Department of State Health Services (DSHS), is increased to seven members from its current six. Several sections of the Occupations Code relating to the current regulatory scheme and council membership consisting of six people are repealed.

The bill also would establish the Dynamic Risk Assessment Pilot Program for adult sex offenders who are treated in counties with populations of one million or more, with costs incurred to be paid by the probationer.

## **Methodology**

DSHS reports that as a result of the bill's requirement that sex offender treatment providers become licensed, the number of license holders will increase by approximately 25 percent, or 87 applicants (351 currently licensed treatment providers X 25 percent = 87 new applicants). The estimated revenue as a result of the bill in fiscal year 2006 would be \$26,100 (87 new applicants X \$300). After the two-year license expires, a renewal fee of \$200 would be required. The renewal fee would generate \$17,400 in both fiscal year 2008 and 2010 (87 renewals X \$200).

## **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 537 Department of State Health Services, 696 Department of Criminal Justice

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