

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 23, 2005

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

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

IN RE: HB2099 by Dutton (Relating to investigations of reports of child abuse and neglect.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2099, As Introduced: a negative impact of (\$85,004,550) 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:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2006	(\$34,489,504)
2007	(\$50,515,046)
2008	(\$50,445,666)
2009	(\$50,445,666)
2010	(\$50,445,666)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable (Cost) from <i>FEDERAL FUNDS</i> 555	Probable Savings from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable Savings from <i>FEDERAL FUNDS</i> 555
2006	(\$34,806,999)	(\$11,846,796)	\$317,495	\$109,355
2007	(\$50,821,086)	(\$17,656,722)	\$306,040	\$106,385
2008	(\$50,751,706)	(\$17,642,210)	\$306,040	\$106,385
2009	(\$50,751,706)	(\$17,642,210)	\$306,040	\$106,385
2010	(\$50,751,706)	(\$17,642,210)	\$306,040	\$106,385

Fiscal Year	Change in Number of State Employees from FY 2005
2006	759.1
2007	1,321.9
2008	1,328.1
2009	1,328.1
2010	1,328.1

Fiscal Analysis

Section 1 of the bill would amend Section 261.303 of the Family Code to require the Department of Family Protective Services (DFPS) to immediately respond to a report of abuse or neglect involving a child less than 12 years old, and to quickly assess and prioritize a report of abuse or neglect involving a child 12 years of age or older. Section 2 would amend Section 261.406 of the Family Code to require local law enforcement agencies to investigate reports of abuse or neglect involving children in public or private schools under the jurisdiction of the Texas Education Agency.

Methodology

DFPS reports that current rules require the agency to respond to priority 1 reports of abuse or neglect within 24 hours and priority 2 reports within 10 days. The agency responds immediately to some priority 1 reports due to the severe and threatening nature of the case (regardless of the age of the child). Each unit has one investigation worker on priority 1 rotation during regular working hours and one investigation worker on call for the night. Supervisors may assign additional investigation workers as necessary. Some large urban areas have a night unit to handle after-hour priority 1 reports.

DFPS indicates that it would need an additional 995 investigation caseworkers to respond immediately to approximately 178,000 reports of abuse or neglect involving children under the age of 12 (including children served in regulated child-care settings). It is assumed that the caseworkers would be hired on a quarterly rollout schedule during fiscal year 2006. The estimate assumes that one supervisor would be hired for every seven caseworkers, one clerk for every six caseworkers, and one attorney for every 30 caseworkers. It is assumed that the supervisors would be hired at the same time as the caseworkers, with other staff phased in three and six months later. It is also assumed that clerical and legal staff would not be needed during the initial three month training period for caseworkers, with half needed during the next three months when caseworkers are assumed to be carrying half the caseload of a fully trained worker. The agency would need to redeploy current caseworkers to handle the workload associated with the immediate response requirement while the new caseworkers are being trained.

The number of additional FTE positions would be 767 in fiscal year 2006 (total salary cost of \$22.5 million), 1,330 in fiscal year 2007 (total salary cost of \$38.7 million), and 1,336 each following year (total salary cost of \$38.8 million). Fringe benefit costs would be \$6.7 million in fiscal year 2006 and \$11.5 million each following year. In addition to salary and fringe benefits, the estimate includes cost for travel, computers, telecommunications equipment, and other operating expenses.

DFPS reports that it would need six fewer investigation workers due to the transfer of responsibility for an estimated 767 school-based investigations per year to local law enforcement agencies. This would result in a savings of \$0.4 million and 8.1 FTE positions per year, based on the direct delivery staffing model described above.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. Costs to local law enforcement to implement Section 2 of the bill would depend upon the number of violators, which would then determine the number of offenders to arrest and prosecute. DFPS reported 767 school-related investigations in fiscal year 2004; assuming that the number of investigations remains stable, the costs to local law enforcement are not expected to be significant.

Source Agencies: 530 Department of Family and Protective Services, 701 Central Education Agency

LBB Staff: JOB, PP, NM, LB