

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 19, 2005

TO: Honorable Todd Staples, Chair, Senate Committee on Transportation & Homeland Security

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

IN RE: HB2239 by Luna (Relating to homeland security training and supplemental pay for certain law enforcement officers.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2239, As Engrossed: an impact of \$0 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	\$0
2007	\$0
2008	\$0
2009	\$0
2010	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from STATE HIGHWAY FUND 6	Probable Savings/(Cost) from FEDERAL FUNDS 555
2006	(\$11,927,140)	(\$368,881)
2007	(\$11,927,140)	(\$368,881)
2008	(\$11,927,140)	(\$368,881)
2009	(\$11,927,140)	(\$368,881)
2010	(\$11,927,140)	(\$368,881)

Fiscal Analysis

The bill would amend the Government Code as it relates to homeland security training and supplemental pay for Department of Public Safety (DPS) officers.

Subject to the availability of money specifically appropriated to DPS for this purpose, a peace officer commissioned by DPS who meets certain criteria would be entitled to supplemental pay. DPS would be allowed to develop and offer its own or approve homeland security training courses meeting minimum standards offered by public and private entities in Texas.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house. If the bill does not receive the necessary vote, the bill would take effect September 1, 2005.

Methodology

Under the provisions of the bill, an officer commissioned by the Department of Public Safety (DPS) who has received certain Commission on Law Enforcement Officer Standards and Education (TCLEOSE) proficiency certificates and completed at least one homeland security training course would be entitled to supplemental pay. An officer commissioned by DPS who has received higher education degrees would be entitled to supplemental pay. An officer may only receive supplemental pay from one of these categories (TCLEOSE certification or education). DPS would also be able to provide supplemental pay to a commissioned officer who is proficient in English and a second language. An officer may receive this supplement in addition to the supplemental pay for TCLEOSE certification or education.

DPS assumes that all peace officers commissioned by the department would meet the qualifications for homeland security training. The counts of certified peace officers that meet the other criteria for each supplemental pay type are based on a survey conducted in December 2004. Based on the survey, 1,388 would qualify for educational supplements for a cost of \$2,912,400 [(46 officers X \$300 X 12) + (947 officers X \$200 X 12) + (395 officers X \$100 X 12)] per fiscal year. Another 2,592 would qualify for supplemental pay for TCLEOSE certification for an annual cost of \$6,384,000 [(550 officers X \$300 X 12) + (1,628 officers X \$200 X 12) + (414 officers X \$100 X 12)] and 1,269 officers would receive supplemental pay for bilingual capabilities at a cost of \$1,522,800 (1,269 officers X \$100 X 12) per fiscal year. Total supplemental pay costs are estimated to be \$10,819,200 in fiscal years 2006 through fiscal year 2010. Benefits are calculated at 13.65 percent for the supplemental pay since these are already employees of the department and health care costs are already being provided. The total cost for supplements and benefits would be \$12,296,021 in fiscal years 2006 through fiscal year 2010. Of these amounts, 3 percent would be paid from Federal Funds and 97 percent would be paid from the State Highway Fund (Fund 6).

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 407 Commission on Law Enforcement Officer Standards and Education

LBB Staff: JOB, SR, KJG, VDS, SJ, LM