

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 4, 2005

TO: Honorable Joe Driver, Chair, House Committee on Law Enforcement

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 Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2239, As Introduced: 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 <i>STATE HIGHWAY FUND</i> 6	Probable Savings/(Cost) from <i>FEDERAL FUNDS</i> 555	Change in Number of State Employees from FY 2005
2006	(\$8,039,842)	(\$245,920)	2.0
2007	(\$12,015,664)	(\$368,881)	2.0
2008	(\$12,015,773)	(\$368,881)	2.0
2009	(\$12,015,882)	(\$368,881)	2.0
2010	(\$12,015,882)	(\$368,881)	2.0

Fiscal Analysis

The bill would amend the Government Code as it relates to homeland security training and supplemental pay for certain law enforcement officers.

The bill would require the Department of Public Safety (DPS) to adopt minimum standards for training courses in homeland security for peace officers no later than January 1, 2006. The Commission on Law Enforcement Officer Standards and Education (TCLEOSE) would be required to assist DPS with the development of the minimum standards.

DPS would also be required to review homeland security training courses offered by public and private entities in Texas to determine whether a course meets the minimum standards developed.

TCLEOSE would be required to maintain an official record of each course completed and each certificate earned by an officer. A peace officer commissioned by DPS who meets certain criteria would be entitled to supplemental pay.

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 homeland security certificates would be entitled to supplemental pay. An officer commissioned by DPS who has received higher education degrees and homeland security certificates would be entitled to supplemental pay. DPS would also be able to provide supplemental pay to a commissioned officer who is proficient in English and a second language and has received homeland security certification.

DPS assumes that all peace officers commissioned by the department would meet the qualifications for homeland security certification. 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 certificates 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. The cost for fiscal year 2006 was adjusted to reflect 8 months of supplemental pay. Supplemental pay costs would be \$7,212,800 in fiscal year 2006, \$10,819,200 in fiscal year 2007 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 \$8,197,347 in fiscal year 2006 and \$12,296,021 in fiscal year 2007 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).

Additionally, 2 full-time equivalent positions (FTEs) would be needed to evaluate and certify non-DPS training programs as well as document training records and certificates. The additional salary cost for these FTEs would be \$68,148 in fiscal year 2006, \$68,232 in fiscal year 2007, \$68,316 in fiscal year 2008, \$68,400 in fiscal year 2009, and \$68,400 in fiscal year 2010. Benefit costs for these additional FTEs would be \$20,267 in fiscal year 2006, \$20,292 in fiscal year 2007, \$20,317 in fiscal year 2008, \$20,342 in fiscal year 2009, and \$20,342 in fiscal year 2010. The total cost for the supplements, FTEs, and benefits would be \$8,285,762 in fiscal year 2006, \$12,384,545 in fiscal year 2007, \$12,384,654 in fiscal year 2008, \$12,384,763 in fiscal year 2009, and \$12,384,763 in fiscal year 2010.

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, KJG, VDS, SJ, LM