

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 10, 2005

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

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

IN RE: HB2769 by Talton (Relating to the presentation of state flags to survivors of certain deceased honorably retired peace officers.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2769, 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 (Cost) from <i>LAW OFFICER STDS & ED AC</i> 116
2006	(\$10,000)
2007	\$0
2008	\$0
2009	\$0
2010	\$0

Fiscal Analysis

The bill relates to the presentation of state flags to survivors of certain deceased, honorably retired peace officers.

The bill would amend certain sections of the Government Code, Occupations Code, and Health and Safety Code. The bill would amend the flag presentation requirements to limit flag presentations to current peace officers and peace officers who honorably retired and voluntarily terminated their employment after completing at least 15 years of service with state law enforcement agencies. Under current law, the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) is required, upon request, to provide the deceased peace officer’s (current or former) next of kin with a state flag. The bill would delete the portion of the Occupations Code relating to former peace officers and add the section requiring TCLEOSE to provide a flag to the next of kin of an

honorably retired peace officer who voluntarily terminated employment after completing 15 years of service with law enforcement agencies in this state. The bill would require the Department of State Health Services (DSHS) to include "honorably retired peace officer" in the current question regarding peace officer status on the registration of death form.

The bill would take effect September 1, 2005.

Methodology

The bill would amend the flag presentation requirements to limit flag presentations to current peace officers and peace officers who honorably retired and voluntarily terminated their employment after completing at least 15 years of service with state law enforcement agencies. TCLEOSE estimates that a one-time cost of \$10,000 (100 hours x \$100) for IT programming services in fiscal year 2006 would be needed to comply with the provisions of the bill. TCLEOSE reports an additional full-time-equivalent position (FTE) would be needed to research the employment history of former peace officers. However, the agency currently receives 50 requests per fiscal year for flags. Of that amount, 80 percent (or 40) are for former commissioned peace officers. Thus, it is assumed that the provisions of the bill could be handled with existing resources.

DSHS assumes that the agency would not have to modify the death certificate request form until the next time at which the department is otherwise requiring a revision to the form, per Section 191.025 (f) of the Health and Safety Code. It is assumed that any costs the agency would incur in implementing the provisions of the bill would be absorbed within the agency's existing resources.

Technology

Technology costs include \$10,000 for programming changes to data systems during fiscal year 2006.

Local Government Impact

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

Source Agencies: 407 Commission on Law Enforcement Officer Standards and Education, 537
Department of State Health Services

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