

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

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

**April 19, 2005**

**TO:** Honorable Norma Chavez, Chair, House Committee on Border and International Affairs

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

**IN RE: HB3280** by Campbell (Relating to increasing funding for sheriffs in certain small counties. ),  
**Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB3280, Committee Report 1st House, Substituted: 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 Revenue Gain/(Loss) from <i>New General Revenue Dedicated - County Law Enforcement Assistance</i>	Probable Savings/ (Cost) from <i>New General Revenue Dedicated - County Law Enforcement Assistance</i>	Probable Savings/ (Cost) from <i>STATE HIGHWAY FUND 6</i>	Change in Number of State Employees from FY 2005
2006	\$16,797,000	(\$16,797,000)	(\$1,726,174)	19.0
2007	\$29,373,000	(\$29,373,000)	(\$1,190,595)	19.0
2008	\$29,961,000	(\$29,961,000)	(\$1,190,595)	19.0
2009	\$30,560,000	(\$30,560,000)	(\$1,196,108)	19.0
2010	\$31,171,000	(\$31,171,000)	(\$1,201,992)	19.0

**Fiscal Analysis**

The bill would create the County Law Enforcement Assistance Fund as a separate account in the General Revenue Fund. The bill would dedicate revenue to the account from a new \$10 court cost assessed in convictions and deferred adjudications related to moving violation traffic offenses. Counties would remit the collected revenue, less a 10 percent collection fee, to the Comptroller of Public Accounts (CPA) for deposit in the new account. The bill would create or recreate a dedicated account in the General Revenue Fund, or create a dedicated revenue source. Therefore, the fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

The bill would allow the Department of Public Safety (DPS) to make grants from the County Law Enforcement Assistance Fund to a sheriff in a county with a population of less than 150,000. DPS would be required to consider the extent to which the sheriff will use the money to enhance homeland security and fight drug trafficking. DPS may also adopt rules regarding application and eligibility requirements for the grants.

### **Methodology**

The CPA indicates revenue estimates were based on historical data from county-level justice and municipal courts and were adjusted for growth, indigency, and implementation. The CPA reports the new court cost was multiplied by the total number of convictions or deferred adjudications, reduced to reflect the historical non-collection rates, and adjusted for an implementation lag. This cost estimate assumes any revenue to the account would be used to award grants to qualified counties for law enforcement assistance. To the extent that the Legislature does not appropriate all of the revenue for grants, the associated administrative costs could also be reduced.

DPS projects 37 full-time-equivalent positions (FTEs) would be required to administer the grant program. This analysis assumes that 19 FTEs would be needed. The costs associated with these additional FTEs would be \$839,828 in each fiscal year. Of these 19 FTEs, 8 would be program specialists. DPS reports that it would be necessary for the program specialists to travel 104 days per year at a cost of \$122 a day for each program specialist. The total travel costs would be \$101,504 (104 days X \$122 a day X 8 program specialists) in each fiscal year.

The costs for computer equipment, software, enterprise agreements, and implementation costs would be \$340,504 in fiscal year 2006, \$50,000 in fiscal years 2007-08, \$55,513 in fiscal year 2009, and \$61,397 in fiscal year 2010. The costs for rent and other operating expenses would be \$444,338 in fiscal year 2006 and \$199,263 in each subsequent fiscal year.

### **Technology**

The technology cost for fiscal year 2006 is \$340,504 and includes computer equipment, software, enterprise agreements, and implementation of the grant system. The technology cost for fiscal years 2007-08 is \$50,000 and includes recurring costs. The technology cost for fiscal years 2009-10 includes recurring costs and enterprise agreements; the costs are \$55,513 and \$61,397, respectively.

### **Local Government Impact**

The bill would result in a positive fiscal impact to those sheriff's departments in the affected counties that apply for, are awarded, and accept a grant from the department. Additionally, the CPA estimates that the additional revenue gain to counties and municipalities from retention of the 10 percent collection fee of the new \$10 court cost would be \$1,867,000 in fiscal year 2006, \$3,264,000 in fiscal year 2007, \$3,329,000 in fiscal year 2008, \$3,396,000 in fiscal year 2009, and \$3,464,000 in fiscal year 2010.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 405 Department of Public Safety

**LBB Staff:** JOB, TB, KJG, CL, VDS, SJ