

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 4, 2005

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

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

IN RE: SB66 by Nelson (Relating to the establishment of certain programs and initiatives designed to prevent the manufacture and use of methamphetamine; providing a penalty.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for SB66, As Engrossed: a negative impact of (\$160,120) 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	(\$80,060)
2007	(\$80,060)
2008	(\$80,060)
2009	(\$80,060)
2010	(\$80,060)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1
2006	(\$80,060)
2007	(\$80,060)
2008	(\$80,060)
2009	(\$80,060)
2010	(\$80,060)

Fiscal Analysis

The bill relates to the establishment of certain programs and initiatives designed to prevent the manufacture and use of methamphetamine, and provides a penalty. The bill would amend the Health and Safety Code by adding Chapter 468. Section 468.002 would require the Department of State Health Services (DSHS) to implement a methamphetamine watch program, as prescribed in the bill. Section 468.051 would require DSHS to administer, coordinate, and contract for prevention programs for private and public school students and to educate schools and parents of students on identifying and helping children who use or are exposed to methamphetamine. The bill would require DSHS to implement the provisions of the bill not later than September 1, 2006.

Section 468.052 would require the Office of the Texas State Chemist of the Texas Agricultural Experiment Station to distribute educational materials used to educate farmers, retail dealers,

cooperatives, and appropriate others regarding the use of anhydrous ammonia in the illicit manufacture of methamphetamine and ways to deter the theft of anhydrous ammonia. The bill would require that the Texas State Chemist of the Texas Agricultural Experiment Station implement the provisions of the bill not later than September 1, 2006.

Section 468.102 would require the Department of Family and Protective Services (DFPS) to establish a drug-endangered child initiative intended to protect children who are exposed to methamphetamine, and other chemical and hazardous materials used in the illicit manufacture of methamphetamine. The bill would require DFPS to implement the provisions of the bill not later than September 1, 2006.

Section 468.103 would require the Department of Public Safety and local law enforcement agencies to report to DFPS on discovering the presence of a child in a location where methamphetamine is manufactured. DFPS would also be required to maintain a record of the reports and to include in the record information regarding actions take by the agency to ensure the child's safety and well-being. The bill would require DFPS to implement the provisions of the bill not later than September 1, 2006.

The bill would take effect immediately upon enactment, if the requisite two-thirds majority votes were received in both houses of the Legislature. Otherwise, the bill would take effect September 1, 2005.

Methodology

DSHS assumed that additional funds would be needed to implement the provisions required in Sections 468.002, and 468.051 of the bill. DSHS estimates that 40,000 retailers would be informed about the methamphetamine watch program. The estimated printing (\$700/fiscal year) and mailing (\$12,160/fiscal year) costs associated with providing an annual notice to the retailers would total \$12,860 for each fiscal year.

DSHS estimates that 60,000 pamphlets would be used for public education and student prevention efforts. The estimated cost to develop and disseminate the pamphlets to 11 prevention resource centers and the central office would total \$67,200 for each fiscal year (5,000 pamphlets per location @ \$1.12/pamphlet).

The estimated costs DSHS would incur in implementing the provisions mentioned above would total \$80,060 in General Revenue each year.

DFPS indicates that 40 hrs of programming hours (\$100/hr.) would be needed for one-time technology modification to gather data on the number of children reported as required. It is assumed that any costs DFPS would incur in implementing the provisions of the bill would be absorbed within the agency's existing resources.

The Office of the Texas State Chemist of the Texas Agricultural Experiment Station indicates that the bill would have no significant impact on the agency. It is assumed that any costs the Texas Agricultural Experiment Station would incur in implementing the provisions of the bill would be absorbed within the agency's existing resources.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety, 530 Department of Family and Protective Services, 537 Department of State Health Services, 710 Texas A&M University System Administrative and General Offices

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