

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 19, 2005

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

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

IN RE: SB912 by Shapiro (Relating to the civil commitment of sexually violent predators.), As Passed 2nd House

Estimated Two-year Net Impact to General Revenue Related Funds for SB912, As Passed 2nd House: a negative impact of (\$71,823) 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	(\$66,673)
2007	(\$5,150)
2008	(\$5,150)
2009	(\$5,150)
2010	(\$5,150)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from GENERAL REVENUE FUND 1	Probable Savings from GENERAL REVENUE FUND 1	Change in Number of State Employees from FY 2005
2006	(\$139,423)	\$72,750	2.0
2007	(\$102,150)	\$97,000	2.0
2008	(\$102,150)	\$97,000	2.0
2009	(\$102,150)	\$97,000	2.0
2010	(\$102,150)	\$97,000	2.0

Fiscal Analysis

The bill would amend the Health and Safety Code to amend the definitions of "sexually motivated conduct" and "sexually violent offense." The bill would also require the Council for Sex Offender Treatment to provide through the Department of State Health Services (DSHS) a tracking service for sexually violent offenders who have been committed under Chapter 841 of the Health and Safety Code and reside in Dallas, Harris, and Tarrant County. The bill would require the Council to conduct a study on the ways sexually violent predators and other persons who commit sexually violent offenses use the Internet to establish contact with potential victims. The Council would be required to report the findings of the study to the Governor and Legislature by September 1, 2006. The bill would take effect September 1, 2005.

## Methodology

DSHS reports that the fiscal year 2004 cost of contracted case management for this program was \$97,000. DSHS reports that under the provisions of the bill, these contracted case managers would no longer be utilized, for a savings of \$72,750 in 2006 (to allow for a transition of staffing) and \$97,000 in the following years.

DSHS reports that the tracking and case management requirements of the bill would require hiring two Program Specialist II full-time positions, and two back-up case managers to relieve the Program Specialists during vacation leave. The two contracted back-up case managers would work approximately 33 hours annually, at \$30 per hour, for an annual salary of \$990. Costs for the two Program Specialist FTEs include salaries, benefits, rent and utilities, computer software, and other operating expenses and would total \$87,443 in 2006 and \$100,170 in each subsequent year.

DSHS estimates that in order to conduct the required study, the Council would need to contract with a registered sex offender treatment provider educated at the doctoral level in order to develop and conduct the study. DSHS estimates the study will require 625 hours at \$80 per hour for a total cost in 2006 of \$50,000.

According to the agency, the Council would need to amend its rules to reflect the requirements of the bill. This would be accomplished using existing staff and resources.

## Local Government Impact

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 537 Department of State Health Services

**LBB Staff:** JOB, KJG, KF, LW