

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 14, 2005

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

IN RE: SB912 by Shapiro (Relating to the civil commitment of sexually violent predators.),
Committee Report 1st House, Substituted

Estimated Two-year Net Impact to General Revenue Related Funds for SB912, Committee Report 1st House, Substituted: a negative impact of (\$116,541) 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	(\$60,641)
2007	(\$55,900)
2008	(\$55,900)
2009	(\$55,900)
2010	(\$55,900)

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	(\$157,641)	\$97,000	3.0
2007	(\$152,900)	\$97,000	3.0
2008	(\$152,900)	\$97,000	3.0
2009	(\$152,900)	\$97,000	3.0
2010	(\$152,900)	\$97,000	3.0

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 Bexar, Dallas, Harris, Tarrant, or Travis County. The bill would take effect September 1, 2005.

Methodology

DSHS reports that the tracking and case management requirements of the bill would require hiring three Program Specialist II full-time positions, and three back-up case managers to relieve the Program Specialists during vacation leave. DSHS reports that the fiscal year 2004 cost of contracted case management was \$97,000.

The contracted back-up case managers would work approximately 33 hours annually, at \$30 per hour, for an annual salary of \$990. DSHS reports an additional fiscal year 2006 cost because it would be necessary to use the existing contracted case managers for the first three months of fiscal year 2006 until the Program Specialist II positions could be filled. This would cost \$24,250 (current annual cost of \$97,000 divided by four) in fiscal year 2006. The annual cost estimate includes expenditures for the three FTEs (only 9 months in fiscal year 2006), rent and utilities, professional fees and services, computer software, and other operating expenses. There would be General Revenue savings each fiscal year associated with the fiscal year 2004 cost of contracted case management, \$97,000.

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, 696 Department of Criminal Justice
LBB Staff: JOB, KJG, LW, VDS, AM