

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 21, 2005

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

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

IN RE: SB1125 by Hinojosa (Relating to the establishment and operation of multicounty drug task forces and to the disposition of certain contraband seized by those task forces.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 362, Local Government Code; Chapter 411, Government Code; and Chapter 59, Code of Criminal Procedure.

The bill would specify that a multicounty drug task force does not include a multijurisdictional drug task force that is funded by the criminal justice division of the governor's office.

A multicounty drug task force would be required to obtain from the Department of Public Safety (DPS) confirmation of meeting certain criteria before the task force could be established and operational. The task force and any county or municipality participating in the task force would be required to comply with policies and procedures established by DPS for the operation of a multicounty drug task force.

In addition to confirming a task force and developing task force policies and procedures, DPS would be required to evaluate each multicounty drug task force and semiannually submit a report on its evaluation to the governor's office and to the Legislative Budget Board.

Other than proceeds from the sale of forfeited property that was seized by a multicounty drug task force that must be deposited in the state treasury, and notwithstanding any other provision of the applicable statute or the terms of a local agreement, if there are proceeds of the sale of the forfeited property after a district court clerk deducts court costs, 75 percent of those remaining proceeds must be distributed to the task force and 25 percent must be deposited into a special fund in the treasury of the county in which the property was seized. A county may spend those special funds only for programs designed to prevent drug abuse, chemical dependency treatment programs, or any other service or program likely to reduce drug use in the county.

The bill would take effect immediately if it receives the required two-thirds vote in each house; otherwise, it would take effect September 1, 2005. Provisions of the bill would apply only to property forfeited on or after the effective date.

The Department of Public Safety (DPS) estimates implementation of the bill would require some staff and operating expenses; however, it is assumed those costs could be absorbed using existing resources.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, KJG, VDS, DLBa