

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 25, 2005

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

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

IN RE: SB1503 by West, Royce (Relating to the creation of the Institute on Race, Crime, and Justice at the University of North Texas at Dallas to examine certain information regarding racial profiling and to provide training regarding issues related to law enforcement and certain underrepresented racial or ethnic groups; providing a penalty.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1503, Committee Report 1st House, Substituted: an impact of \$0 through the biennium ending August 31, 2007.

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-Institute of Race, Crime, and Justice</i>	Probable Savings/(Cost) from <i>New General Revenue Dedicated-Institute of Race, Crime and Justice</i>	Change in Number of State Employees from FY 2005
2006	\$420,000	(\$420,000)	5.0
2007	\$734,000	(\$734,000)	8.0
2008	\$749,000	(\$749,000)	9.0
2009	\$764,000	(\$764,000)	10.0
2010	\$779,000	(\$779,000)	10.0

Fiscal Analysis

The bill would create the Institute of Race, Crime, and Justice at the University of North Texas at Dallas. The purpose of the institute would be to review and analyze racial profiling data submitted by law enforcement agencies and to provide training regarding racial profiling by law enforcement and participation by members of certain underrepresented groups in law enforcement. The institute could charge reasonable fees for training provided to participating law enforcement personnel. The institute would provide an annual report on racial profiling on the Internet, and submit to the Legislature a report detailing proposals to reduce or eliminate racial profiling. Any peace officer who is disciplined or terminated from employment based on the data compiled is entitled to a hearing. The hearing would be conducted by the State Office of Administrative Hearings.

The bill would create the Institute on Race, Crime, and Justice Fund as a separate account in the General Revenue Fund. The bill would dedicate revenue to the account from a new \$0.25 court cost assessed for convictions and deferred adjudications related to moving violation traffic offenses. A county or municipality 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, create or recreate a special or trust fund either within or outside of the Treasury, 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.

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 costs for criminal cases were multiplied by the total number of convictions, reduced to reflect the historical non-collection rates, and adjusted for an implementation lag. Based on these assumptions the revenue for the \$0.25 court cost would be \$420,00 in fiscal year 2006, \$734,000 in fiscal year 2007, \$749,00 in fiscal year 2008, \$764,000 in fiscal year 2009 and \$779,000 in fiscal year 2010.

It is assumed the University of North Texas at Dallas would need one institute director at a salary cost of \$120,000 per year, two research associates at a cost of \$50,000 per year, one information system associate at \$50,000 per year one administrative assistant at a cost of \$38,000. The total salary cost would be \$308,000. Retirement benefits for these positions would be \$92,000. Equipment costs would be \$20,000. Beginning in fiscal year 2007 additional staff would be hired including an associate director, at \$80,000 per year, several graduate assistants at \$30,000 per year and additional research, information associates and associated office equipment. Since the Institute can also establish charges for the training programs, it assumed any costs above the revenue stream from the court costs would be offset by the fees charged by the institution.

The Department of Public Safety (DPS) may also incur costs under the provisions of the bill. However, DPS states these costs would depend upon the number of motor vehicle stops meeting the established criteria.

Local Government Impact

The CPA estimates that the additional revenue gain to counties and municipalities from retention of the 10 percent collection fee of the new \$0.25 court cost would be \$47,000 in fiscal year 2006, \$82,000 in fiscal year 2007, \$83,000 in fiscal year 2008, \$85,000 in fiscal year 2009, and \$87,000 in fiscal year 2010.

Additionally, local law enforcement agencies could incur some additional personnel costs associated with the acquisition, analysis and/or redacting of information to submit to the Institute.

Source Agencies: 302 Office of the Attorney General, 360 State Office of Administrative Hearings, 405 Department of Public Safety, 407 Commission on Law Enforcement Officer Standards and Education, 758 Board of Regents, Texas State University System Central Office, 769 University of North Texas System Administration, 304 Comptroller of Public Accounts, 781 Higher Education Coordinating Board

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