

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 18, 2007

TO: Honorable Jerry Madden, Chair, House Committee on Corrections

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

IN RE: HB105 by Riddle (Relating to a central database containing information about violent offenders.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB105, As Introduced: an impact of \$0 through the biennium ending August 31, 2009.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	\$0
2009	\$0
2010	\$0
2011	\$0
2012	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>STATE HIGHWAY FUND</i> 6	Change in Number of State Employees from FY 2007
2008	(\$1,051,347)	10.0
2009	(\$461,793)	10.0
2010	(\$461,793)	10.0
2011	(\$461,793)	10.0
2012	(\$461,793)	10.0

Fiscal Analysis

This bill would amend the Government Code as it relates to a central database containing information about violent offenders.

Section 1 of the bill adds Government Code, Section 411.135(a) which allows individuals to obtain public information under Government Code, Section 411.1355.

Section 2 of the bill adds Government Code, Section 411.1355, Central Database of Violent Offenders, which requires the Department of Public Safety (DPS) to maintain a computerized central database containing information regarding persons who: 1) have been convicted or received deferred adjudication for certain aggravated violent offenses under the Code of Criminal Procedure, Article 42.12, Section 3g and 2) under the parameters of the deferred adjudication were discharged, paroled, placed in a non secure juvenile community program, or placed on juvenile probation, community supervision or mandatory supervision. The bill states the database information is public information except for the person's social security number, driver license number, or telephone number or victim identification information.

The bill states that DPS work in cooperation with the Board of Pardons and Paroles, the Texas Department of Criminal Justice, the Texas Youth Commission, the Juvenile Probation Commission to design and implement the registration system. The bill states that the system must establish requirements and procedures for offender registration notification with local law enforcement. The bill states that offender must register with local law enforcement annually, every 90 days is the offender is deemed high risk, or every 30 days is the offender has no permanent address. The bill states if an offender operates on online business, they must disclose the name, Internet domain name, and web page of the business to local law enforcement. The offender also must notify local law enforcement not later than 5 days after the name, Internet domain name, or web page of the business changes. The bill states the system must establish requirements and procedures for offender requests for exclusion from the database. The bill states the system must track offender registration compliance requirements and that local law enforcement agencies promptly forward registration information to database. DPS would also be required to update the database daily. The bill states Government Code, Section 411.1355 does not apply to individuals currently included in the registration database maintained under the Code of Criminal Procedure, Article 62.005.

Section 3 of the bill states the database must be designed and implemented not later than March 1, 2008.

The bill would take effect on September 1, 2007.

Methodology

Under the provisions of the bill, the Department of Public Safety (DPS) would be required to create and maintain a computerized central database of violent offenders containing information regarding persons who: 1) have been convicted or received deferred adjudication for certain aggravated violent offenses under the Code of Criminal Procedure, Article 42.12, Section 3g and 2) under the parameters of the deferred adjudication were discharged, paroled, placed in a non secure juvenile community program, or placed on juvenile probation, community supervision or mandatory supervision. DPS' Crime Records Service currently has a sex offender registration data base; however this bill would require additional information to be collected. The analysis for fiscal years 2008-2012 are based on added database and program modifications and costs for extra personnel to process data collection and train individuals on the new reporting requirements.

Based on anticipated data base modifications and data collection workload, this analysis includes 10 additional FTEs:

- 1) 1 Administrative Assistant III position under the A13 salary group at \$28,666 per year;
- 2) 1 Administrative Assistant IV position under the A15 salary group at \$32,065 per year;
- 3) 6 Public Safety Technician I positions under the A9 salary group at \$23,166 (\$23,166 x 6) for a total of \$138,996 per year; and
- 4) 2 Training Specialist I positions under the B5 salary group at \$28,666 (\$28,666 x 2) for a total of \$57,332 per year.

Total FTE costs (including benefit costs of \$72,722 per year) would be \$329,781 in fiscal years 2008 and 2009.

The 2 Training Specialist positions would be required to travel to train state and local governments on the new reporting requirements. Included in the estimate is \$48,000 (\$24,000 x 2 FTEs) per year in estimated travel expenses and \$31,084 (\$15,542 x 2FTEs) per year for vehicle expenses in fiscal years 2008 and 2009. DPS states that other operating expenses, consumable equipment, and other costs for printing and postage of new registration forms are an additional \$434,722 in fiscal year 2008 and \$50,544 in fiscal year 2009.

Technology

DPS states the technology costs estimated to comply with the development of a central database containing information about violent offenders includes computer database program development, computers, printers, laptops with docking stations, and enterprise software agreements. The development of the violent offender database is estimated to require 1,000 hours of programming at \$150 per hour totaling \$150,000 and an additional \$57,760 for computer equipment, printers, and enterprise software agreements for a total of \$207,760 in fiscal year 2008. Fiscal years 2009 through 2012 has a technology impact of \$2,384 per year for continued enterprise software agreements.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety, 409 Commission on Jail Standards, 665 Juvenile Probation Commission, 694 Youth Commission, 696 Department of Criminal Justice

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