

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 19, 2007

TO: Honorable Joe Driver, Chair, House Committee on Law Enforcement

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

IN RE: HB157 by Pickett (Relating to an endangered person advisory.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB157, As Introduced: an impact of \$0 through the biennium ending August 31, 2009.

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
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	(\$5,124,616)	50.0
2009	(\$2,556,662)	50.0
2010	(\$2,556,662)	50.0
2011	(\$2,641,318)	50.0
2012	(\$2,641,318)	50.0

Fiscal Analysis

The bill would amend the Government Code relating to an endangered person advisory.

The bill would add Government Code, Chapter 411, Subchapter M, Endangered Person Advisory, which further defines the terms “advisory” and “local law enforcement agency” and states that the Department of Public Safety (DPS) in cooperation with the Department of Transportation, the Office of the Governor, and local law enforcement shall develop and implement a statewide advisory to be activated on behalf of an endangered missing person. The bill states the DPS director shall adopt rules and issue directives of the advisory including procedures for activating and deactivating the advisory. The director shall also prescribe forms for local law enforcement in request of the activation of the advisory.

The bill states that DPS shall recruit public and commercial television and radio broadcasters, private commercial entities, state and local governmental entities, and the public to assist in developing and implementing the advisory. DPS may enter into agreements with the participants in the alert to provide

necessary support for the advisory. On the request of local law enforcement, DPS shall activate the advisory and notify the participants of the advisory if local law enforcement believes that a person is missing under unexplained or suspicious circumstances and is in danger because of: their age, mental or physical disability, or health issues; adverse environmental or weather conditions; the person is in the company of a potentially dangerous person; some other factor that may place the person in danger; if information is available to disseminate to the public that could assist in locating the person; and circumstances fail to meet the criteria for an AMBER alert.

Before local law enforcement can request an advisory, they must verify the criteria in Section 411.385(a). Once the information is verified, local law enforcement shall immediately contact DPS to request activation and supply the necessary information on the forms developed by DPS. The bill states that state agencies participating in the advisory shall cooperate with DPS and assist with the development and implementation of the advisory and establish a plan for providing relevant information to DPS staff once the advisory has been activated. The Department of Transportation shall establish a plan to provide relevant information to the public through dynamic message signs located across the state. DPS shall terminate any activation of the advisory if the person is recovered or the situation is otherwise resolved or the agency determines that the advisory is no longer an effective tool for locating the missing person.

Methodology

DPS estimates 71,000 persons missing in Texas each year. The analysis of additional FTEs is based on an assumption of 71,000 requests/advisories divided by 365 (days in a year) = approximately 195 requests/advisories potentially taking place each day/24 hours in each day = approximately 8 advisories per hour. There is no prediction or knowledge of what time of day or night potential requests will be submitted by local law enforcement. Therefore, the anticipated increased workload is projected across all three of DPS' State Operations Center shifts.

This analysis assumes an additional 50 FTEs would be required each year to implement the provisions of the bill, including: 2 program supervisors, 40 research specialists and 8 record technicians each year for the initial review process and subsequent analytical support of the missing person investigations (2 B11 positions at \$40,710 per year, 40 B9 positions at \$36,057 per year and 8 A9 position at \$23,199 per year plus estimated employee benefit costs at 28.29 percent of salary costs). DPS estimates that additional office space will be required to accommodate the additional personnel and the analysis assumed estimated lease costs of \$64,000 per year. Other operating expenses are estimated to be \$2,691,354 in fiscal year 2008 and \$292,700 in fiscal years 2009 through 2012 for telephone systems, paging and wiring, data equipment and security, maintenance and repair of office machines and computer equipment, computer supplies, non-capital computer equipment, and furniture and equipment.

The Department of Transportation and the Office of the Governor have both stated that this bill would have no significant fiscal impact on their agencies.

Technology

This analysis includes estimated technology costs computers, printers, enterprise agreements totaling \$176,750 in fiscal year 2008. Fiscal years 2009 through 2012 include a technology impact of \$7,450 per year for continued enterprise software agreements.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 301 Office of the Governor, 405 Department of Public Safety, 601 Department of Transportation

LBB Staff: JOB, ES, GG, LG, KJG