

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: HB865 by Davis, Yvonne (Relating to a silver alert for missing senior citizens.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB865, 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	(\$909,746)	9.0
2009	(\$564,295)	9.0
2010	(\$564,295)	9.0
2011	(\$414,780)	9.0
2012	(\$414,780)	9.0

Fiscal Analysis

The bill would amend the Government Code relating to a silver alert for missing senior citizens.

The bill would add Government Code, Chapter 411, Subchapter M, Silver Alert for Missing Senior Citizens, which further defines the terms “alert”, “local law enforcement agency”, and “senior citizen” 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 alert to be activated on behalf of a endangered missing senior citizens. The bill states the DPS director shall adopt rules and issue directives of the alert including procedures for activating and deactivating the alert. The director shall also prescribe forms for local law enforcement in request of the activation of the alert.

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 alert. DPS may enter into agreements with the participants in the alert to provide necessary support for the alert. On the request of local law enforcement, DPS shall activate the alert and notify the participants of the alert if local law enforcement believes that a senior citizen is: missing under unexplained or

suspicious circumstances, in danger because of their age, mental or physical disability, or health issues, and if information is available to disseminate to the public that could assist in locating the person. DPS may activate the alert statewide or limit the alert to a specific area where the senior citizen is most likely to be located. DPS may adopt rules to take into account the circumstances surrounding the person's disappearance and the person's access to a motor vehicle or other form of transportation.

Before local law enforcement can request an alert, 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 alert shall cooperate with DPS and assist with the development and implementation of the alert and establish a plan for providing relevant information to DPS staff once the alert 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 alert if the senior citizen is located or the situation is otherwise resolved or the agency determines that the alert is no longer an effective tool for locating the senior citizen.

The bill would take effect on September 1, 2007.

Methodology

DPS estimates 900 persons over the age of 65 and older are reported missing in Texas each year. The analysis of additional FTEs is based on an assumption of 900 requests/advisories divided by 365 (days in a year) = approximately 2.5 requests/advisories potentially taking place each day. 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 9 FTEs would be required each year to implement the provisions of the bill, including 8 research specialist FTEs and 1 record technician each year for the initial review process and subsequent analytical support of the missing senior citizen investigations (8 B9 positions at \$36,057 per year and 1 A9 position at \$23,199 per year plus estimated employee benefit costs at 28.29 percent of salary costs). Other operating expenses are estimated to be \$481,976 in fiscal year 2008, \$163,174 in fiscal years 2009 and 2010, and \$13,659 in fiscal years 2011 and 2012 for 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 \$27,990 in fiscal year 2008. Fiscal years 2009 through 2012 include a technology impact of \$1,341 per year for continued enterprise software agreements.

Local Government Impact

No significant 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