

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 29, 2007

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

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

IN RE: HB914 by Madden (Relating to the establishment of an office of inspector general at the Texas Youth Commission.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB914, As Engrossed: a negative impact of (\$526,210) 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	(\$265,265)
2009	(\$260,945)
2010	(\$261,425)
2011	(\$261,905)
2012	(\$262,385)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from <i>GENERAL REVENUE FUND</i> 1	Change in Number of State Employees from FY 2007
2008	(\$265,265)	4.0
2009	(\$260,945)	4.0
2010	(\$261,425)	4.0
2011	(\$261,905)	4.0
2012	(\$262,385)	4.0

Fiscal Analysis

The bill would amend Article 2.12 of the Code of Criminal Procedure adding inspectors general to the Youth Commission (TYC) as peace officers. The bill would amend Section 61.0451 of the Human Resources Code to establish an office of inspector general for the purpose of investigating fraud committed by TYC employees, including contract parole officers and crime committed in TYC facilities or contract programs. TYC would establish policies and procedures for the operations of the office of inspector general. The office of inspector general would be able to employ commissioned peace officers as inspectors general with all the powers and duties given to peace officers in this state. The inspectors general would report the results of any investigations to the TYC board, the standing committees of the Senate and the House of Representatives with primary jurisdiction over matters concerning correctional facilities, and the Special Prosecution Unit (SPU). The TYC board would appoint a commissioned peace officer as chief inspector general. The chief inspector general would provide the board with a report concerning operations of the office of inspector general on a quarterly basis. The report would include the types of investigations conducted by the office of inspector general such as the involvement of narcotics or incidents of sexual abuse, the relationship of the victim and perpetrator, if applicable, and the number of investigations conducted involving deaths, suicides, and hospitalizations of youth in the custody of TYC. The report would be considered public information and the board would publish

the report on TYC's website. If TYC is governed by a commissioner or other official in place of a board, he shall appoint a chief inspector general and receive the required reports. The bill would take effect immediately if it receives a vote of two-thirds of all members of each house. If this bill does not receive the necessary vote, it would take effect September 1, 2007.

Methodology

TYC reports it will need 4.0 FTEs in each year of the biennium to implement the provisions of the bill at a cost of \$340,280 in salaries for the biennium and \$170,140 each year thereafter. Additional costs (travel, equipment, benefits and operating expenses) total \$185,930 for the biennium and average \$92,005 in each year thereafter.

TYC does not currently have authority to hire Schedule C employees. This means peace officers hired by TYC would not be paid at Schedule C rates unless TYC is added to the list of eligible agencies in Article IX of the General Appropriations Bill, As Introduced.

The SPU anticipates no significant fiscal impact from the passage of this bill.

Technology

The TYC technology impact for fiscal year 2008 is estimated at \$5,232 and includes computer workstations and infrastructure for the 4 FTEs. The ongoing technology cost is estimated at \$432 per year.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, ES, GG, AI