

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 16, 2007

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

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

IN RE: HB2210 by Bolton (Relating to law enforcement reports concerning the commission of certain offenses and the provision of certain information in those reports to victims of those offenses.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to require a peace officer who investigates the commission of certain offenses to prepare a written report that includes (1) the names of the suspect and complainant; (2) the date, time, and location of the incident; (3) any visible or reported injuries; and (4) a description of the incident and a statement of its disposition.

The bill stipulates that the local law enforcement agency responsible for investigating the commission of an applicable offense would be required to provide each victim, upon request, a free copy of those portions of the written report that are not excepted under Chapter 552, Government Code or other law.

The bill would take effect September 1, 2007.

Because the bill specifies that the local law enforcement agency responsible for conducting an investigation would provide copies of a report, it is assumed that state law enforcement would not be impacted by the provisions of the bill.

Local Government Impact

The fiscal impact would vary by county and municipal law enforcement agency depending on how many applicable crimes are investigated per year and how many victims would request a copy of the report. If an agency currently charges for copies of the reports, there would be a revenue loss, but it is not expected to be significant. Associated costs are not expected to be significant unless every applicable victim requests a copy of the report. It is anticipated that there would be more incidents in more densely populated areas.

Harris County (population over 3.4 million) reports that the sheriff's office prepared 14,678 reports in 2006 for crimes to which the bill would apply. If each of the affected victims were to request a copy of the report, the office assumes the amount of time required to copy and mail reports to victims would require hiring two additional clerks. One of the precincts of the Harris County constable's office prepared 2,318 applicable incident reports in 2006. That office assumes the increased workload would necessitate hiring one additional clerk. Harris County estimates that related costs for implementing provisions of the bill would be \$191,774 in the first year for the two offices combined, which would be insignificant.

Dallas County (population over 2.2 million) already provides incident reports to victims, but charges \$2 per report. On average, the county provides about 180 reports annually; therefore, the county would experience a revenue loss of at least \$360, which would be insignificant.

The Travis County (population of 812,280) Sheriff's Office currently provides a copy of incident reports upon request to the victim, and charges \$0.10 per page. The office does not keep statistics on the number of reports provided, but assumes the revenue losses/costs would be insignificant.

The police department in the City of Abilene (population of 115,930) estimates, based on the current number of applicable offenses that occur and for which a report is requested, the department would experience a revenue loss of under \$200 because they currently charge \$0.10 per page.

Source Agencies:

LBB Staff: JOB, ES, DB