

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 15, 2007

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

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

IN RE: HB2210 by Bolton (Relating to a requirement that a local law enforcement agency provide the victims of certain offenses with a copy of the incident report.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to require a peace officer who investigates the alleged 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 local law enforcement agency responsible for investigating the alleged commission of an applicable offense would be required to provide each victim a free copy of the written report.

The bill would take effect September 1, 2007.

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. 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. 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 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. The county assumes implementing provisions of the bill would result in providing twice as many reports, for a \$400 loss in revenue, and \$600 in increased costs for supplies.

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.

Costs reported by municipalities were higher than for those counties that provided data for the fiscal analysis. The Houston (population of over 1.9 million) Police Department estimates implementation would require an increase in staffing of 81 full-time-equivalents. Costs associated with new staff, initial capital outlay for new staff, and supplies are estimated by the department at \$3 million in fiscal year 2008 and approximately \$2.8 million each year thereafter. The department reports that it does not have sufficient funds in the budget to add new staff.

The police department in the City of Abilene (population of 115,930) estimates costs of \$23,933 in

fiscal year 2008, which would include one new staffperson and their workstation, computer, and printer, dropping to around \$19,000 in fiscal year 2009. The department would also experience a revenue loss because they currently charge \$0.10 per page. Their estimate assumes one-page reports only, although they have some reports that are five pages in length.

Source Agencies:

LBB Staff: JOB, ES, DB