

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 16, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

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

IN RE: **HB2851** by Davis, John (Relating to the requirement that certain persons whose driver's licenses are suspended or revoked on conviction of an offense for driving while intoxicated complete a drug or alcohol dependence evaluation and educational program.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2851, 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 STATE HIGHWAY FUND 6	Change in Number of State Employees from FY 2007
2008	(\$452,572)	8.0
2009	(\$310,189)	8.0
2010	(\$310,189)	8.0
2011	(\$345,074)	8.0
2012	(\$345,074)	8.0

Fiscal Analysis

The bill would amend the Code of Criminal Procedure and Transportation Code relating to the requirement that certain persons whose driver's licenses' are suspended or revoked on conviction of an offense for driving while intoxicated complete a drug or alcohol dependence evaluation and educational program.

The bill would amend the Code of Criminal Procedure, Article 42 and Transportation Code, Sections 521, 524 and 724 which would require a person who has been convicted of an offense under Penal Code, Chapter 49 (driving while intoxicated) and granted community supervision by a judge to provide satisfactory proof to the Department of Public Safety (DPS) that they have attended and completed two programs: an approved alcohol and drug educational program and an evaluation by an approved program or facility. The bill states the person's driver license is automatically suspended if proof of completion and compliance with the programs is not completed in certain time period. The bill states DPS may not reinstate a driver license

suspended under this section until the person shows proof of having completed the approved educational programs, has submitted an application to reinstate their driver license, and pays the required reinstatement fee. The bill would take effect on September 1, 2007. The bill would apply to offenses on or after September 1, 2007.

**Methodology**

The bill adds language that states the person subject to a denial order must pay DPS a driver license reinstatement fee of \$125. DPS states they are currently collecting this fee, therefore no additional revenue would be collected under the provisions of this bill.

DPS states that an additional 8 FTEs per year would be required to implement the provisions of the bill due to increased workload (8 administrative assistants) to process and archive application materials, input registration information into the database, and provide administrative support to the agency. Other operating expenses such as maintenance and repair of office machines and computer equipment, computer supplies, non-capital computer equipment, and furniture and equipment, are also included in the cost estimate.

The Department of State Health Services anticipates that the bill would have no significant fiscal impact to their agency.

**Technology**

This analysis includes technology costs estimated for computers, printers, and enterprise software agreements totaling \$125,272 in 2008. Fiscal years 2009 through 2012 have a technology impact of \$1,192 per year for continued enterprise software agreements.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 405 Department of Public Safety, 537 State Health Services, Department of

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