

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 10, 2007

**TO:** Honorable Will Hartnett, Chair, House Committee on Judiciary

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

**IN RE: HB3288** by Otto (Relating to reporting of and access to information about civil judgments arising out of certain conduct involving harm to a child.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB3288, 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 STATE HIGHWAY FUND 6
2008	(\$250,250)
2009	\$0
2010	\$0
2011	\$0
2012	\$0

Fiscal Analysis

The bill would amend the Government Code relating to reporting and access to information about civil judgments arising out of certain conduct involving harm to a child.

The bill would amends Government Code, Chapter 51 which requires the clerk of a district court, the clerk of a statutory county court or county court at law court to report to the Department of Public Safety (DPS) the name and address of any person the court has entered a civil judgment for conduct described under Code of Criminal Procedure, Section 62.001 (5) or Penal Code, Chapter 22, and the victim or intended victim of which is a child younger than 17 years of age. The bill also adds Government Code, Chapter 411, Subchapter M, Civil Judgment Record Information, which requires DPS to maintain a central database containing the information required to be reported by district and county court clerks under Government Code, Chapter 51. The bill states to whom information shall be made available to and what information shall be withheld.

The bill would take effect on September 1, 2007.

## Methodology

Currently, the Department of Public Safety (DPS) does not accept, enter or report any civil judgments. The bill states DPS must create a database, reporting procedures, and dissemination processes for the data required to be captured related to civil judgments. Offenses under the Code of Criminal Procedure, Chapter 62 for victims under the age of 17 are estimated to be 5,000 per year. In addition, offenses under the Penal Code, Chapter 22 for victims under the age of 17 are estimated to be 3,000 per year. DPS estimates to receive approximately 10 percent civil judgments reported annually ( $5,000 + 3,000 = 8,000 \times 10\% = 800$ ).

The technology costs estimated to comply with the development of a central database for information about civil judgments involving harm to a child includes a one-time cost of \$250,250 (1,925 hours x \$130 per hour) in State Highway Funds in fiscal year 2008 for computer program changes to allow DPS to enter, store, update and export civil judgment data.

## Technology

The technology costs estimated to comply with the development of a central database for information about civil judgments involving harm to a child includes a one-time cost of \$250,250 (1,925 hours x \$130 per hour) in State Highway Funds in fiscal year 2008 for computer program changes to allow DPS to enter, store, update and export civil judgment data.

## Local Government Impact

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

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** JOB, MN, GG, LG, KJG