

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 10, 2007

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

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

IN RE: SB1740 by Shapiro (Relating to the prosecution of certain sexual offenses and to the registration and supervision of sex offenders.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure, the Education Code, and the Government Code relating to the prosecution of certain sex offenses and to the registration and supervision of sex offenders.

The bill changes the findings of fact in a case to include an actor that was not the parent or guardian of the victim under 18 and the defendant was not more than four years older than the victim. The bill adds an improper relationship between educator and student to the definition of a reportable conviction or adjudication for the sex offender registration program. The bill specifies what tier of offense is reportable as a sex offense and under what conditions. The bill allows the Department of Public Safety (DPS) to exclude from the database of registered sex offenders the name of the educational facility in which that person is enrolled as a student if the person was 18 years of age or older at the time the person committed the offense. The bill states DPS shall maintain an electronic mail notification service for administrators of any public or private primary or secondary school in the state. The bill specifies what data elements are needed in the sex offender database, what can be made public, and what the content of the sex offender website will be. The bill changes the time frames for sex offenders reporting from 10 days to 3 days and specifies the period of time an offender must register based on their tier of the conviction. The bill would take effect on September 1, 2007.

The Department of Public Safety, the Department of Criminal Justice, the Texas Education Agency, the Juvenile Probation Commission, the Youth Commission, and the Office of Court Administration anticipate that the bill would have no significant fiscal impact on their agencies.

Local Government Impact

The Houston Police Department estimated costs of \$692,880 in fiscal year 2008, mostly for salaries and academy training for six new officers. These costs would rise to \$793,233 in fiscal year 2012 due to rising salaries.

The Abilene Police Department, the El Paso Police Department, the Harris County Sheriff's Office, and the Jefferson County Adult Probation office indicated no significant fiscal impact to their departments.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405 Department of Public Safety, 665 Juvenile Probation Commission, 694 Youth Commission, 696 Department of Criminal Justice, 701 Central Education Agency

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