

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 4, 2009

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

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

IN RE: HB1629 by Naishtat (Relating to the care and protection of foster children committed to or released under supervision by the Texas Youth Commission.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend several chapters in the Family Code and the Human Resources Code to increase the role of the Department of Family and Protective Services (DFPS) in supervising the care and treatment of youth under its conservatorship who are committed to the Texas Youth Commission (TYC). DFPS anticipates a continuing need to provide placement review hearings for children under conservatorship who are committed to TYC or released under supervision by TYC, and indicates the cost of any hearings can be absorbed within current funding. The Office of Court Administration anticipates a small negative fiscal impact on state courts due to increased demand for hearings and other court activity, and indicates the fiscal impact would be limited by the small number of foster children committed to TYC (estimated to be 85). The Health and Human Services Commission and TYC indicate any cost to implement provisions of the bill would be minimal and can be absorbed within available resources.

Local Government Impact

The fiscal impact would vary by county, depending on the number of cases described in the bill for which a court must appoint an attorney ad litem or a guardian ad litem, as the county would bear those costs. The Office of Court Administration estimates there are currently 85 juveniles in Texas Youth Commission custody to whom the provisions of the bill would apply. Therefore, no significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 529 Health and Human Services Commission, 530 Family and Protective Services, Department of, 694 Youth Commission

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