

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 18, 2009

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

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

IN RE: HB2161 by Turner, Sylvester (Relating to the issuance of a personal identification certificate to present or former inmates of the Texas Department of Criminal Justice.), **Committee Report 2nd House, As Amended**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2161, Committee Report 2nd House, As Amended: a negative impact of (\$3,168,088) through the biennium ending August 31, 2011.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	(\$1,584,044)
2011	(\$1,584,044)
2012	(\$1,584,044)
2013	(\$1,584,044)
2014	(\$1,584,044)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1
2010	(\$1,584,044)
2011	(\$1,584,044)
2012	(\$1,584,044)
2013	(\$1,584,044)
2014	(\$1,584,044)

Fiscal Analysis

The bill would amend the Government and Transportation Codes relating to the application for the Texas Identification Certificate (ID card) for offenders being released on parole, mandatory supervision, or conditional pardon who do not have a valid Texas Driver License or Identification Certificate. The bill would require application for the ID card to be made as soon as practicable. The bill would require the Texas Department of Criminal Justice (TDCJ) to submit to the Department of Public Safety (DPS) on behalf of the offender a request for issuance of a personal identification certificate. The bill would require TDCJ, DPS, and the Bureau of Vital Statistics of the Department of State Health Services (DSHS) to adopt a memorandum of understanding (MOU) that establishes the responsibilities related to the verification of the offender's identity. The bill would require the MOU to require DSHS to electronically verify the offender birth record and to electronically report the information to DPS for purposes of validating the identity of the offender. The bill would require actual costs associated with obtaining the ID Cards to be reimbursed by TDCJ to DSHS and DPS. The bill would allow TDCJ to charge the inmate for actual costs incurred for a personal identification

certificate. The bill would amend the Transportation Code relating to license fees. The bill would amend the Transportation Code relating to expiration dates for certain licenses issued to offenders in a correctional facility or parole facility. The bill would not require TDCJ to request a personal identification certificate for offenders released who are not legally present in the United States, or who were not a resident of this State before being placed in custody of the Department of Criminal Justice.

Methodology

To maintain security to the driver license identity program, the DPS Driver License Division would create a process to accept identifying information from TDCJ and current offender photographs to produce Texas Identification Cards. Modifications to the existing driver license system to create a program to enter, scan, and produce the ID card will require programming estimated to be \$56,400. Additionally, costs associated for an image collection application to be developed and manually scan the offender photograph and signature into the driver license system for the ID card is estimated to be \$32,000. DPS anticipates one additional FTE (A15 classification) would be needed for this project. DPS has determined that costs associated with implementing the bill would not be significant and could be absorbed with current appropriations.

The Department of State Health Services has determined that costs associated for the electronic verification of the birth records are estimated to be \$1,584,044 annually (\$22 cost per birth record x 72,002 offenders released). DSHS also states that there would be additional information technology costs associated in the first fiscal year with implementation of the bill estimated to be \$120,000. It is anticipated that DSHS can absorb the costs associated with the electronic verification of birth records.

TDCJ has determined that costs associated for applying for the ID card would be dependent on the number of releases and the costs associated with obtaining the personal identification certificates. TDCJ assumes that there would be an additional fiscal impact for their portion of the fees to obtain the primary documents that DPS requires prior to issuance of the personal ID card; however, in this analysis it is assumed that the additional fiscal impact could be absorbed with existing agency resources.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety, 537 State Health Services, Department of, 696 Department of Criminal Justice

LBB Staff: JOB, ESi, GG, SDO, LG