

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 29, 2009

TO: Honorable Mark Strama, Chair, House Committee on Technology, Economic Development & Workforce

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

IN RE: HB2519 by Parker (Relating to alternative methods of obtaining criminal history information and registration of private vendors to obtain criminal history information; providing a civil penalty.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2519, As Introduced: an impact of \$0 through the biennium ending August 31, 2011.

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
2010	\$0
2011	\$0
2012	\$0
2013	\$0
2014	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>General Revenue Fund</i> 1	Probable Revenue Gain from <i>General Revenue Fund</i> 1	Change in Number of State Employees from FY 2009
2010	(\$233,193)	\$233,193	4.0
2011	(\$221,193)	\$221,193	4.0
2012	(\$221,193)	\$221,193	4.0
2013	(\$221,193)	\$221,193	4.0
2014	(\$221,193)	\$221,193	4.0

Fiscal Analysis

The bill would allow entities authorized or required under law to obtain criminal history record information to contract with a private vendor registered with the Secretary of State (SOS). SOS would be required by December 1, 2009 to develop criteria in consultation with law enforcement for a vendor to register annually with the state to provide criminal history record information and perform identity verification. SOS would be allowed to charge an application fee in an amount sufficient to cover the costs to administer this bill. The Office of Attorney General (OAG) would be allowed to sue to collect civil penalties associated with this bill. This bill would become effective immediately if two-thirds votes are received, or on September 1, 2009.

Methodology

It is assumed that the Secretary of State (SOS) would require four employees in order to implement this bill at a cost of \$160,374 per fiscal year for salaries and wages and \$45,819 for benefits out of General Revenue. In addition, one-time costs of \$12,000 for equipment in fiscal year 2010 and on-going other operating expenses of \$15,000 per fiscal year would be needed.

It is assumed that SOS would charge a fee in an amount sufficient to cover the costs to administer this bill which would offset the cost associated with this bill resulting in a net of \$0 to the state.

SOS indicates that it would not be able to meet the December 1, 2009 implementation date due to the complexity of developing new program standards.

The Office of Attorney General (OAG) would be allowed to sue to collect civil penalties associated with this bill. It is assumed that OAG could absorb costs related to this bill within existing resources.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General, 307 Secretary of State

LBB Staff: JOB, JRO, MS, BTA