

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 17, 2009

TO: Honorable Jim McReynolds, Chair, House Committee on Corrections

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

IN RE: HB2855 by Dutton (Relating to the inclusion of an incarcerated person in the population data used for redistricting according to the person's last residence before incarceration.), **As Introduced**

No significant fiscal implication to the State is anticipated.

This bill would amend the Government Code relating to the inclusion of incarcerated persons in the population data used for redistricting purposes and direct the Comptroller to prepare and disseminate an adjusted version of the redistricting population. The Comptroller indicates there would be a minimal administrative cost for contract services to implement the provisions of the bill.

Local Government Impact

The bill would require local governmental entities operating facilities for incarcerating convicted persons, including mental health institutions, to submit a report to the Comptroller of Public Accounts that includes the name, age, gender, race, and last known address of incarcerated persons, as prescribed by the Comptroller. The costs to local governmental entities would vary depending on the number of facilities and the number of incarcerated persons in a facility.

The bill also would require political subdivisions that elect officials from election districts, wards, or precincts subject to the one-person one-vote requirement to verify population counts based on the redistricting prepared and issued by the Comptroller to ensure the counts do not vary more than five percent. Under current law, local entities are required to recognize and act on federal census population data. The costs associated with the provision are not anticipated to be significant.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, TP, ESi, JM