

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 30, 2009

TO: Honorable Rodney Ellis, Chair, Senate Committee on Government Organization

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

IN RE: SB1018 by Deuell (Relating to the continuation and functions of the Texas Commission on Law Enforcement Officer Standards and Education.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The Commission on Law Enforcement Officer Standards and Education is subject to the Sunset Act and will be abolished on September 1, 2009, unless continued by the Legislature. The bill contains the following Sunset Advisory Commission (Sunset) recommendations.

- Provides that TCLEOSE clarify its enforcement procedures for training providers.
- Requires the Commission to develop and implement electronic submission methods for information the Commission requires from law enforcement agencies. Sunset states no significant fiscal impact is expected because many commission forms are already available electronically and the commission also has begun accepting electronically submitted forms.
- Requires the Commission to establish clear rules for conducting audits of law enforcement agencies and establish a risk assessment methodology.
- Requires the Commission to clearly identify which crimes relate to the ability of a person to perform the occupation of county jailer.
- Removes the requirement for the Commission to establish standards for the certification of all county jail personnel, beyond regulation of county jailers.
- Requires the Commission to clearly outline its enforcement process, adopt procedures, and make information about the process available to licensees and the public.
- Requires the Commission to analyze sources and types of complaints to identify and address problem areas and trends. Sunset states the Commission already performs these tasks in a rudimentary way. These provisions set standards for the data collection and analysis which should create no significant fiscal impact.
- Removes the provision requiring applicants with high school equivalency certificates to obtain additional higher education hours.
- Authorizes TCLEOSE to levy administrative penalties against law enforcement agencies that violate the Commission's statute or rules. Sunset the addition of this new administrative penalty is new to the commission. Sunset estimates minimal use of the penalty and that potential revenue gains can not be determined.
- Clarifies that TCLEOSE is not a party to F-5, or discharge paper, disputes.
- Applies standard Sunset Advisory Commission across-the-board recommendations or updates language already in statute.
- The bill repeals Occupations Code, Sections 1701.315 and 1701.406. The bill also repeals Occupations Code, Section 1701.051(d) which removes ex officio members from the Commission's composition.
- Continues the Texas Commission on Law Enforcement Officer Standards and Education for 12 years.

The bill would take effect on September 1, 2009.

The Commission on Law Enforcement Officer Standards and Education, the State Auditor's Office, and the Sunset Advisory Commission anticipate no significant fiscal impacts to the State.

Local Government Impact

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

Source Agencies: 116 Sunset Advisory Commission, 308 State Auditor's Office, 407 Commission on Law Enforcement Officer Standards and Education

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