

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 8, 2009

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

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

IN RE: SB1061 by Shapiro (Relating to improving the accuracy of reporting concerning certain criminal history.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to require that counties with an average disposition completeness percentage of less than 90 percent implement a data reporting improvement plan. Under the plan, counties would be required to establish a local data advisory board by November 1, 2009. The board would be required to prepare a data reporting improvement plan that describes the steps the county will take to improve its disposition completeness percentage and include a comprehensive strategy by which the county will permanently maintain an average disposition completeness percentage equal to or greater than 90 percent. The county must submit the plan to the Department of Public Safety (DPS) by June 1, 2010.

DPS would be required to post the counties' data reporting improvement plans on its website and annually submit a report that includes each county's disposition completeness percentage to the Legislative Budget Board, the governor, the state auditor, and the standing committees in the legislature that have primary jurisdiction over criminal justice and DPS.

DPS and the State Auditor's Office indicate that implementing the provisions of the bill would not pose a significant fiscal impact to their resources or operations.

Local Government Impact

According to information provided by the Texas Association of Counties, the provisions of the bill would have a significant fiscal impact to counties that do not attain the required 90 percent disposition completeness rate. The association reported that the Texas Computerized Criminal History System report for 2009 shows there are only 38 counties reporting a 90 percent or better disposition completeness rate for adult cases. Therefore, 216 counties are below the rate. The association anticipates that those counties would have to hire additional staff and that time spent meeting, studying, and preparing the plan would be considerable.

Source Agencies: 308 State Auditor's Office, 405 Department of Public Safety

LBB Staff: JOB, ESi, DB, MWU