

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 20, 2009

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

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

IN RE: SB1081 by Huffman (Relating to access to criminal history record information by the office of the attorney general.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Subchapter F, Chapter 411, Government Code, to allow the Office of the Attorney General (OAG) to access criminal history record information from the Department of Public Safety (DPS), the Federal Bureau of Investigation, and any other law enforcement agencies regarding any applicant for employment or any contractor, subcontractor, or employee of a contractor or subcontractor.

OAG presently conducts criminal background checks on all employees and other personnel in the Child Support Division and selected employees and other personnel in certain Criminal Justice Divisions and the Medicaid Fraud Control Unit. OAG reports that it would anticipate conducting a slightly increased number of criminal history background checks if the bill were enacted. This analysis assumes that implementing the provisions of the bill would not pose a significant fiscal impact to OAG or DPS, as all operations could be reasonably conducted using current resources.

The bill would take effect on September 1, 2009.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General, 405 Department of Public Safety

LBB Staff: JOB, KJG, GG, MWU