

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 17, 2009**

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

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

**IN RE: SB2239** by Zaffirini (Relating to the forensic medical examination of a sexual assault victim who has not reported the assault to a law enforcement agency.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB2239, As Introduced: an impact of \$0 through the biennium ending August 31, 2011.

**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 Savings/(Cost) from <i>Crime Victims Comp Acct</i> 469
2010	(\$230,680)
2011	(\$237,790)
2012	(\$244,900)
2013	(\$252,405)
2014	(\$259,910)

**Fiscal Analysis**

The bill would amend the Code of Criminal Procedure and the Health and Safety Code to expand victim rights by providing the right to a forensic medical examination to victims of sexual assault who have not reported the assault to a law enforcement agency, if the forensic exam is otherwise conducted at a health care facility within 96 hours of the assault.

**Methodology**

The bill would provide that the Department of Public Safety pay for reasonable costs of a forensic medical exam and evidence collection kits of a sexual assault victim who has not reported the assault to law enforcement. The bill also provides that the Office of the Attorney General reimburse the Department of Public Safety for those aforementioned costs. The Office of the Attorney General estimates that reimbursements of forensic exams and collection kits as a result of the bill would increase by approximately 15 percent and would total approximately 584 new applications. Each new

application would be cost approximately \$395 providing a total cost of \$230,680 in fiscal year 2010 out of the Compensation to Victims of Crime Account No. 469. In fiscal year 2011, the OAG estimates that 602 new applications will be submitted for reimbursement providing a cost of \$237,790 out of the Compensation to Victims of Crime Account No. 469. It is assumed that the number of reimbursements will increase slightly in the remaining years providing a cost out of the Compensation to Victims of Crime Account No. 469 totaling \$244,900 in fiscal year 2012, \$252,405 in fiscal year 2013, and \$259,910 in fiscal year 2014. It is assumed that any administrative costs associated with the implementation of the bill at the Department of Public Safety and the Office of the Attorney General could be absorbed within existing state resources.

### **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, ESi, JM, LG