

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

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**March 1, 2011**

**TO:** Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

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

**IN RE: HB172** by Veasey (Relating to a study regarding the effectiveness of the James Byrd Jr. Hate Crimes Act.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB172, As Introduced: a negative impact of (\$272,343) through the biennium ending August 31, 2013.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	(\$204,764)
2013	(\$67,579)
2014	(\$2,400)
2015	(\$2,400)
2016	(\$2,400)

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Change in Number of State Employees from FY 2011
2012	(\$204,764)	2.0
2013	(\$67,579)	1.0
2014	(\$2,400)	0.0
2015	(\$2,400)	0.0
2016	(\$2,400)	0.0

**Fiscal Analysis**

The bill would amend the Code of Criminal Procedure and require the Office of the Attorney General (OAG) to conduct a study to examine the success of the James Byrd Jr. Hate Crime Act. The OAG would be required to examine the characteristics of crimes reported as crimes of bias or prejudice, interview attorneys representing the state in the prosecution of crimes of bias or prejudice, interview a representative sample of victims of crimes of bias or prejudice, and examine the amount of funding appropriated for prosecutorial training. The study would be completed and provided to the Legislature no later than January 1, 2013.

**Methodology**

It is assumed that the OAG would require two full-time Research Specialists during the first year of

the study and for six months during the second year of the study for a total of \$98,592 in fiscal year 2012 and \$49,296 in fiscal year 2013 for salaries and wages out of General Revenue. Benefit costs associated with those positions would total \$27,468 in fiscal year 2012 and \$13,734 in fiscal year 2013 out of General Revenue. Travel costs would be required only in the first year of the study and total \$54,074 in fiscal year 2012 out of General Revenue. Other operating costs, which include phones, furniture, computers, postage, and other consumable supplies, would total \$22,230 in fiscal year 2012 and ongoing costs of \$2,149 in fiscal year 2013 out of General Revenue.

### **Technology**

It is assumed that Data Center storage costs would be \$2,400 per fiscal year.

### **Local Government Impact**

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

**Source Agencies:** 302 Office of the Attorney General

**LBB Staff:** JOB, ESi, MS, JM