

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

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**  
**Revision 1**

**March 22, 2011**

**TO:** Honorable Byron Cook, Chair, House Committee on State Affairs

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

**IN RE: HB1455** by Kolkhorst (Relating to the release or discharge by a law enforcement agency of certain illegal immigrants at the office of a United States senator or United States representative.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would add Article 16.23 to Chapter 16 of the Code of Criminal Procedure to authorize a law enforcement agency that has custody of an illegal immigrant that is eligible to be released on bail or discharged for completion of a sentence, and is not subject to an immigration detainer to release the illegal immigrant to a United States (U.S.) senator or representative's office. The law enforcement agency would be authorized to request an agent or employee of the U.S. senator or representative's office sign a document acknowledging the release of the illegal immigrant to the office.

**Local Government Impact**

There could be a fiscal impact to a law enforcement agency to transfer an illegal immigrant in custody to a U.S. senator or representative's office, but the amounts would vary depending on the number of illegal immigrants that met the criteria, the agency's current procedures, and the distance to an applicable office. It is assumed that a law enforcement agency would transfer an illegal immigrant only if sufficient resources were available or it would not result in a negative fiscal impact.

The Travis County Sheriff's Office reported there would be no fiscal impact to the county.

Dallas County reported there would be a moderate fiscal impact that would include costs for new staff (\$275,006); operational costs (\$100,000); and five transporting vehicles (\$141,590), totaling an estimated \$516,596. The current fiscal year (FY) budget of the affected department is \$13,989,919. Dallas County also stated the county identifies an average of 3,000 illegal immigrants per year in the county jail system and under the provisions of the bill, the county would be required to transfer roughly 12 prisoners each business day per year resulting in the need for additional staff and vehicles.

The Houston Police Department reported there would be a significant fiscal impact that would include costs for salaries for 10 new employees (\$1,022,740); operational costs (\$10,000); and a transporting van (\$50,000) totaling an estimated \$1,082,740. The overall current FY budget is \$4,035,796,000.

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** JOB, KJG, SD, TP, MM, ESi