

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 30, 2011

TO: Honorable Jerry Madden, Chair, House Committee on Corrections

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

IN RE: HB1552 by Madden (Relating to the monitoring of and the provision of certain information regarding certain high-risk sex offenders.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1552, As Introduced: a negative impact of (\$480,000) 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	(\$240,000)
2013	(\$240,000)
2014	(\$240,000)
2015	(\$240,000)
2016	(\$240,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Probable Savings/(Cost) from Criminal Justice Plan Ac 421
2012	(\$240,000)	(\$500,000)
2013	(\$240,000)	(\$500,000)
2014	(\$240,000)	(\$500,000)
2015	(\$240,000)	(\$500,000)
2016	(\$240,000)	(\$500,000)

Fiscal Year	Change in Number of State Employees from FY 2011
2012	0.0
2013	0.0
2014	0.0
2015	0.0
2016	0.0

Fiscal Analysis

The bill would require the Department of Public Safety (DPS) to maintain an electronic mail service

making information available by electronic mail to members of the Texas House of Representatives and the Texas Senate about each individual required to register as a sex offender in the member's district.

The bill would create a second risk assessment process for juvenile and adults required to register as a sex offender. The dynamic risk assessment is intended to determine the likelihood that the person will engage in sexually predatory conduct after being released from the Texas Department of Criminal Justice or the Texas Youth Commission.

The bill would require DPS to contract to implement and coordinate a monitoring system that tracks the location of certain high risk registered sex offenders. The bill makes the monitoring program subject to the receipt of grant funding from the Governor's criminal justice planning fund. The criminal justice planning grant would fund the cost of the technology and training for local law enforcement to use the monitoring system to verify the location of registrants. The bill provides for the capability of the monitoring system. The bill would require DPS to adopt rules to implement the monitoring system.

The bill would require registrants subject to monitoring under the provisions of the bill pay monthly for the cost of the monitoring system to defray the law enforcement entity cost of operation the system.

The bill would require DPS to make the electronic mail report functional not later than January 1, 2012. The bill would require DPS to issue requests for the purchase of monitoring system equipment not later than September 15, 2011. The remaining provisions of the bill would take effect immediately if it receives two-thirds vote, if not it takes effect September 1, 2011.

Methodology

The fiscal impact assumes the Council on Sex Offender Treatment working with the Texas Youth Commission would contract for the services necessary to develop an effective juvenile sex offender risk assessment.

It is assumed that the provision of the bill related to electronic monitoring of registered sex offenders would only be implemented if DPS received a grant of \$500,000 from the Criminal Justice Division of the Governor's Office funding the full cost of purchasing and implementing the system. The monthly cost of monitoring would be paid by non-indigent registered sex offenders subject to monitoring and it is estimated that the monthly cost would be between \$180 to \$270 per individual per month.

It is assumed that local law enforcement would continue to be the primary authority required to manage registered sex offenders in their jurisdiction. DPS would coordinate the implementation of the monitoring system and assist local law enforcement agencies with implementing the technology, however, DPS would not conduct law enforcement activities related to the tracking and management of certain registered sex offenders subject to electronic monitoring.

Local Government Impact

There would be some additional workload to local law enforcement agencies relating to the monitoring of the GPS tracking of registered sex offenders, but it is anticipated that it could be absorbed utilizing existing resources.

Source Agencies: 301 Office of the Governor, 304 Comptroller of Public Accounts, 405 Department of Public Safety, 537 State Health Services, Department of, 694 Youth Commission, 696 Department of Criminal Justice

LBB Staff: JOB, ESi, GG, DH, MWU, KKR, AI