

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

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

**April 28, 2011**

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

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

**IN RE: HB2285** by Nash ( Relating to reimbursement of costs incurred for the collection of certain blood specimens as a condition of community supervision.), **Committee Report 1st House, Substituted**

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| <b>Estimated Two-year Net Impact to General Revenue Related Funds</b> for HB2285, Committee Report 1st House, Substituted: an impact of \$0 through the biennium ending August 31, 2013. |
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**General Revenue-Related Funds, Five-Year Impact:**

| Fiscal Year | Probable Net Positive/(Negative)<br>Impact to General Revenue Related<br>Funds |
|-------------|--|
| 2012        | \$0  |
| 2013        | \$0  |
| 2014        | \$0  |
| 2015        | \$0  |
| 2016        | \$0  |

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

| Fiscal Year | Probable Revenue Gain from<br><i>Appropriated Receipts</i><br>666 |
|-------------|---|
| 2012        | \$270,000   |
| 2013        | \$270,000   |
| 2014        | \$270,000   |
| 2015        | \$270,000   |
| 2016        | \$270,000   |

**Fiscal Analysis**

The bill would amend the Code of Criminal Procedure to permit a judge to require a person placed on community supervision to reimburse a law enforcement agency for the collection, analysis, storage, and disposal of certain blood seized in connection with an offense. The bill would take effect September 1, 2011.

**Methodology**

The Department of Public Safety (DPS) indicates they currently perform approximately 18,000 blood alcohol/toxicology tests for DPS and local law enforcement each year. Approximately 25 percent of offenders placed on community supervision are currently required to reimburse law enforcement for the analysis of controlled substances. Assuming the same 25 percent would be required to reimburse law enforcement for blood alcohol/toxicology tests, 4,500 persons required to pay \$60 for the test,

resulting an annual revenue gain of \$270,000. DPS indicates there would be no operational costs for the agency to implement the provisions of the bill.

### **Local Government Impact**

There could be a positive fiscal impact to a local law enforcement entity that would be reimbursed for costs incurred for the collection of blood seized in connection with an offense, but the amounts would vary depending on the number of offenses committed.

**Source Agencies:** 405 Department of Public Safety, 696 Department of Criminal Justice

**LBB Staff:** JOB, ESi, TP, AI