

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 22, 2011

TO: Honorable Jim Jackson, Chair, House Committee on Judiciary & Civil Jurisprudence

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

IN RE: HB2496 by Gonzalez, Naomi (relating to creating a teen dating violence court program and the deferral of adjudication and dismissal of certain dating violence cases.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would add Section 54.0325 to Chapter 54 of the Family Code and amend the Government Code to authorize the creation of a teen dating violence court program that must be approved by the court and commissioners court of the county, and would include the processes and procedures for implementation of the program.

On the recommendation of the prosecuting attorney, a juvenile court would be authorized to defer adjudication proceedings under Section 54.03 for not more than 180 days if the child engaged in certain conduct. The court would be required to dismiss the case after a child successfully completes the program, and could impose a fee not to exceed \$10 to cover administrative costs of the program to be deposited into the county treasury where the court is located. In addition, the court could require a \$10 fee to cover the cost of the teen dating violence court program operations, but could not assess a child more than \$20. The court would be required to track the number of children ordered to participate in the teen dating violence program, the percentage of victims meeting with the teen victim advocate, and the compliance rate of children in the program.

The Office of Court Administration (OCA) reported that even though additional court personnel may be necessary, the number cannot be estimated. This analysis assumes any additional workload could be reasonably absorbed utilizing existing resources.

Local Government Impact

Based on the analysis of the Texas Juvenile Probation Commission, the provisions of the bill would allow deferrals of adjudication proceedings at the discretion of the juvenile court and on the recommendation of the prosecuting attorney; therefore, no fiscal impact to local juvenile probation departments.

According to information provided to the Comptroller of Public Accounts (CPA), four counties of varying populations reported the fiscal impact is not anticipated to be significant, but would vary depending on whether the county chose to create a teen dating violence court program and collect a fee. Based on the information obtained from the sample counties, the bill would have a slight revenue gain for units of local government, but the exact amount is unknown due to the variance in the number of cases that a given county might refer to a teen violence program. The amount of the impact on other units of local government may differ from the sample counties in question based on the characteristics of each county.

El Paso County estimated that approximately 10 percent or 22 of its 218 assault family violence cases in fiscal year (FY) 2010 were attributable to teen dating violence. Revenue from fees would total an estimated \$440 annually. The county anticipates that the caseload for a teen dating violence program could be administered with existing resources.

Maverick County identified three teen dating violence cases in FY 2010. Revenue from fees would total an estimated \$60 annually. The county anticipates that the caseload for a teen dating violence program could be administered with existing resources.

Dimmit County identified one teen dating violence case in FY 2010. Revenue from fees would total an estimated \$20 annually. The county anticipates that the caseload for a teen dating violence program could be administered with existing resources.

Zavala County identified no teen dating violence cases in FY 2010. The county anticipates no revenue from fees authorized by the bill. The county anticipates that a teen dating violence program could be administered with existing resources.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 665 Juvenile Probation Commission

LBB Staff: JOB, JT, TP, TB, MWU, JGA