

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 10, 2011

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

IN RE: SB953 by Whitmire (Relating to the conditions for granting an occupational license to certain persons, the monitoring of those persons by a local community supervision and corrections department, and the fees associated with department services.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to authorize a court to require a person receiving an occupational driver's license to submit to periodic testing for alcohol or controlled substances if the original license was suspended based on a conviction related to alcohol or controlled substances.

The bill also would allow a court to require a person receiving an occupational driver's license to submit to supervision by a local community supervision and corrections department (CSCD) and to pay a monthly administrative fee. An order granting an occupational license would be required to specify if the person is restricted to operating a motor vehicle with an ignition interlock device or if the person must submit to periodic testing of alcohol or controlled substances.

The bill would amend the Government Code to increase the cap of an administrative fee from \$40 per month to \$60 per month for an individual participating in certain community supervision programs.

The bill would take effect September 1, 2011.

Local Government Impact

There could be additional costs associated with alcohol and controlled substance testing and supervision by a local CSCD, but the amounts would vary depending on current procedures being followed at a CSCD. In addition, costs would be partially offset by the added revenue from administrative fees.

Three counties were contacted by the Comptroller of Public Accounts to provide an estimate of the fiscal impact of the bill. Potter County and Lamb County's fiscal years (FY) begin on October 1; while Harris County's FY begins on March 1. Estimates for FY 2011 have been prorated accordingly.

Harris County reported that the bill could have a positive fiscal impact on the county. Harris County estimated that approximately 1,000 individuals annually would be granted the occupational license. This would generate approximately \$20,000 annually in additional revenue for FY 2011 through FY 2016 if the administrative fee is increased from \$40 to \$60. Harris County estimated there would be no personnel, operational or technology costs.

Potter County reported the bill would have no significant fiscal impact on the county. Potter County estimated that approximately 177 individuals annually would be granted the occupational license. This would generate approximately \$17,995 annually in additional revenue for FY 2011 through FY 2016 if the administrative fee is increased from \$40 to \$60. Potter County estimated there would be no personnel costs; but would incur \$3,000 in annual operational costs for space and equipment, and a one-time expenditure of \$1,300 for technology.

Lamb County reported the bill would have no fiscal impact on the county. Lamb County estimated that approximately 10 individuals annually would be granted the occupational license. This would generate approximately \$200 annually in additional revenue for FY 2011 through FY 2016 if the administrative fee is increased from \$40 to \$60. Lamb County estimated there would be no personnel, operational or technology costs.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 696 Department of Criminal Justice

LBB Staff: JOB, ESi, TP, TB, AI, JJO