

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 29, 2011

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

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

IN RE: SB1116 by Whitmire (Relating to the punishment of certain prohibited conduct that occurs on a public school campus or on a vehicle owned by a county or school district.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

The bill would require that offenses of disorderly conduct that occur on a public school campus during regular school hours be referred to juvenile court and the juvenile probation department system. This would have the effect of increasing the amount of referrals to juvenile probation departments, and by extension increasing the amount of youth who receive basic supervision services. Presently, the majority of cases of disorderly conduct are handled by justice and municipal courts.

In calendar year 2009 there were a total of 18,219 arrests for disorderly conduct for juveniles age 10-16 in Texas. 584 of those arrests were referred to juvenile probation departments, and 17,635 were handled by a justice or municipal court. In fiscal year 2010 juvenile probation departments received 529 referrals for disorderly conduct, of which 67% percent (353) occurred on a school campus. If 67 percent of arrests for disorderly conduct were referred to juvenile probation departments, it could increase referrals by 11,815, which would be a 13% increase of total referrals.

It is unknown how many youth referred for disorderly conduct would be placed on community supervision or deferred prosecution. Costs to counties would vary depending on the number of cases of disorderly conduct in a particular county.

Source Agencies: 665 Juvenile Probation Commission, 701 Central Education Agency

LBB Staff: JOB, ESi, JGM, RBl, KKR, MWU