

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 18, 2011

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

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

IN RE: SB1191 by Gallegos (Relating to the criminal registration procedure for a convicted arsonist.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1191, As Introduced: an impact of \$0 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	\$0
2013	\$0
2014	\$0
2015	\$0
2016	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>State Highway Fund</i> 6
2012	(\$739,100)
2013	(\$385,000)
2014	(\$185,000)
2015	(\$120,000)
2016	(\$120,000)

Fiscal Year	Change in Number of State Employees from FY 2011
2012	5.0
2013	0.0
2014	0.0
2015	0.0
2016	0.0

Fiscal Analysis

The bill would amend the Code of Criminal Procedure to create a criminal registration procedure for

certain persons convicted of arson. The bill would apply to persons convicted of arson on or after September 1, 2000 and require them to be included in a public database, register with local law enforcement, and annually renew a driver’s license or personal identification card. The bill would take effect immediately upon a two-thirds vote of all the members in each house. Otherwise, the bill would take effect on the ninety-first day after the last day of the legislative session in which it is enacted.

Methodology

The Department of Public Safety (DPS) indicates the bill would apply to 2,940 individuals who have been convicted of arson since September 1, 2000, and an additional 245 individuals each fiscal year. This analysis assumes DPS would require additional employees in fiscal year 2012 to implement the provisions of the bill, but could implement the ongoing requirements of the bill within existing resources dedicated to the Sex Offender Registry. Additionally, DPS would require technological costs to develop, implement, and maintain the registry required by the bill.

The additional employees necessary for fiscal year 2012 would include 2 Public Safety Records Technician Is, 2 Administrative Assistant IVs, and one Clerk III, Costs associated with the additional employees are also included in this analysis.

The bill would require persons required to register under the provisions of the bill to renew their driver’s license or personal identification card each year, which would result in a revenue gain to the Texas Mobility Fund. However, this revenue gain is not expected to be significant.

Technology

DPS would require technology costs to develop, implement, and maintain the registry required by the bill. Additionally, DPS would require application costs related to the Driver's License System. DPS indicates the total technology cost estimates to implement the provisions of the bill are \$446,000 in fiscal year 2012, \$385,000 in fiscal year 2013, \$185,000 in fiscal year 2014, and \$120,000 in each subsequent year.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405 Department of Public Safety, 537 State Health Services, Department of, 665 Juvenile Probation Commission, 694 Youth Commission, 696 Department of Criminal Justice, 697 Board of Pardons and Paroles, 701 Central Education Agency, 781 Higher Education Coordinating Board

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