

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 10, 2013

TO: Honorable Joseph Pickett, Chair, House Committee on Homeland Security & Public Safety

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB327 by Dutton (Relating to requiring notice and the dissemination of criminal history record information to the subject of the information in certain circumstances.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB327, As Introduced: a negative impact of (\$9,713,462) through the biennium ending August 31, 2015.

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
2014	(\$4,956,731)
2015	(\$4,756,731)
2016	(\$4,756,731)
2017	(\$4,756,731)
2018	(\$4,756,731)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2013
2014	(\$4,956,731)	6.0
2015	(\$4,756,731)	6.0
2016	(\$4,756,731)	6.0
2017	(\$4,756,731)	6.0
2018	(\$4,756,731)	6.0

Fiscal Analysis

The bill would amend Chapter 411 of the Government Code relating to requiring notice to the subject of a criminal history record information request when the information is

disseminated. Exceptions to the notification requirement are requests made by criminal justice agencies and requests made by the subject of the criminal history record. The Department of Public Safety (DPS) would be required to provide written notice by mail to the subject of the information request.

The change in law made by this Act applies only to requests for access to criminal history record information made on or after the effective date of this Act. The bill would take effect on September 1, 2013.

Methodology

DPS reports that in fiscal year 2012, it processed 6,189,458 criminal history record information requests that would require notification under the bill's provisions. Assuming the same volume for fiscal years 2014 through 2018, the agency would be required to mail 6,189,458 notifications per year. Costs of paper, envelopes, and postage are estimated at \$4,507,295 annually based on materials and postage rates for a one-page notification letter. It is assumed that the agency would need six additional full-time equivalent positions (Clerk IV) to process the notifications, at an annual salary of \$32,043. This would result in annual salary costs of \$192,258 and annual employee benefits costs of \$57,178.

Technology

A one-time cost of \$200,000 in fiscal year 2014 for computers and printers is assumed.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety

LBB Staff: UP, ESi, AI, KNi