LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 17, 2013

TO: Honorable Tan Parker, Chair, House Committee on Corrections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **SB213** by Whitmire (Relating to the continuation and functions of the Texas Board of Criminal Justice, the Texas Department of Criminal Justice, and the Windham School District and to the functions of the Board of Pardons and Paroles and the Correctional Managed Health Care Committee.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The Texas Board of Criminal Justice (TBCJ) and Texas Department of Criminal Justice (TDCJ) are subject to the Texas Sunset Act and will be abolished on September 1, 2013, unless continued by the Legislature. The bill would continue the TBCJ and TDCJ until 2021, and it contains various provisions to implement Sunset recommendations, primarily affecting the Government Code and Code of Criminal Procedure.

The Board of Pardons and Paroles (BPP) is not subject to abolishment under the Texas Sunset Act, but is subject to Sunset review at the same time as TDCJ. The Correctional Managed Health Care Committee (CMHCC) is subject to Sunset review (regarding the CMHCC's role and responsibilities) at the same time as TDCJ. The Windham School District (WSD) is subject to a limited purpose review by the Texas Sunset Commission (TSC) as part of the review of TDCJ for the Eighty-third Legislature. The bill contains various provisions to implement Sunset recommendations affecting BPP, CMHCC, and WSD, primarily affecting the Government Code and Code of Criminal Procedure.

The following State agencies and institutions have indicated that implementing the bill's provisions could be absorbed within existing resources and would have no significant fiscal impact: TDCJ, TSC, Office of Court Administration, Office of the Governor, Texas Workforce Commission, Department of Public Safety, Health and Human Services Commission, Department of State Health Services, Texas Juvenile Justice Department, Central Education Agency, Higher Education Coordinating Board, Texas A&M University System, Texas Tech University (TTU) System, TTU Health Sciences Center, University of North Texas System, University of Houston System, and University of Texas System (UTS). While UTS did indicate no significant fiscal impact to UT health institutions, the UT Medical Branch (UTMB) was cited as a possible exception if UTMB ceased to be a vendor for TDCJ's correctional managed health care (CMHC) in the event TDCJ chose to modify the CMHC delivery model under the bill's provisions (Section 10) that allow TDCJ to contract with any entity to fully implement CMHC. It has been determined that BPP could implement the bill's provisions within existing resources.

In review of all the bill's provisions, it is determined that none of the provisions in the bill would have a significant fiscal impact to the State. The bill would take effect on September 1, 2013.

Local Government Impact

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

Source Agencies: 116 Sunset Advisory Commission, 212 Office of Court Administration, Texas Judicial Council, 301 Office of the Governor, 320 Texas Workforce Commission, 405 Department of Public Safety, 529 Health and Human Services Commission, 537 State Health Services, Department of, 644 Texas Juvenile Justice Department, 696 Department of Criminal Justice, 697 Board of Pardons and Paroles, 701 Central Education Agency, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 733 Texas Tech University, 739 Texas Tech University Health Sciences Center, 752 University of North Texas, 763 University of North Texas Health Science Center at Fort Worth, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

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