

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 22, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1003 by Carona (Relating to a review of and report regarding the use of adult and juvenile administrative segregation in facilities in this state.), **As Passed 2nd House**

The estimated cost to implement the provisions of the bill is a negative impact of (\$127,854) through the biennium ending August 31, 2015; however, the bill would require the action of the Criminal Justice Legislative Oversight Committee to be contingent on funding from gifts, grants, and donations being available to cover the costs. Therefore, no significant fiscal implication to the state is anticipated.

The bill would require the Criminal Justice Legislative Oversight Committee (committee) to appoint an independent third party to conduct a review of certain criminal justice related facilities in the state regarding the facilities' use of adult and juvenile administrative segregation and related statistics subject to the availability of funds from gifts, grants, and donations. The bill would require the independent third party to provide a report of its findings and recommendations to the governor, the Lieutenant Governor, the Speaker of the House of Representatives, and the standing legislative committees with primary jurisdiction over criminal justice matters by December 31, 2014. The review conducted and report submitted by the independent third party and certain other information would be public information, as applied by Government Code Chapter 552. These provisions of the bill would expire on February 1, 2015.

The bill would also amend the Human Resources code to require the Texas Juvenile Justice Department to collect data relating to the placement of a child in disciplinary seclusion in a juvenile facility. It is assumed that implementing these provisions of the bill can be absorbed within the existing resources of the agency.

The bill would take effect on September 1, 2013.

Methodology:

The committee, which has not been operational for several biennia, would be funded from gifts, grants, and donations through the Texas Legislative Council (TLC).

Based on information provided by the TLC, it is assumed that a review contract with an independent third party would be established to implement the provisions of the bill beginning September 1, 2013 and ending on January 31, 2015 at a cost of \$90,250 in fiscal year 2014 and \$37,604 in fiscal year 2015.

Local Government Impact

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

Source Agencies:

LBB Staff: UP, ESi, MW