

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 21, 2015**

**TO:** Honorable Donna Campbell, Chair, Senate Committee on Veteran Affairs & Military Installations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB12** by Longoria (Relating to the border prosecution unit.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB12, As Engrossed: a negative impact of (\$2,970,000) through the biennium ending August 31, 2017.

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:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2016	(\$1,485,000)
2017	(\$1,485,000)
2018	(\$1,485,000)
2019	(\$1,485,000)
2020	(\$1,485,000)

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from General Revenue Fund</b>
	<b>1</b>
2016	(\$1,485,000)
2017	(\$1,485,000)
2018	(\$1,485,000)
2019	(\$1,485,000)
2020	(\$1,485,000)

**Fiscal Analysis**

The bill would amend the Government Code to establish a Border Prosecution Unit composed of certain prosecutors from the border region and staffed by an administrator. The Border Prosecution Unit shall divide the border region into three sub-regions with one or more attorneys per sub-region, and additional employees as necessary. The Border Prosecution Unit would be

required to produce reports related to border prosecutions, serve as a clearing house of information, develop training materials and provide training to local law enforcement.

Under the bill provisions, the estimated fiscal impact would be \$1,485,000 in each fiscal year from 2016-2020. Costs include grants to support the Border Prosecution Unit and certain prosecutors from the border region.

Under the bill provisions, the unit would solicit requests for proposals from members of the Border Prosecution Unit's board for funding. The Border Prosecution Unit reviews the requests and issues recommendations to the Criminal Justice Division (CJD) of the Office of the Governor regarding grant from the Prosecution of Border Crime Grant Program. Funding would need to be available from the Prosecution of Border Crime Grant Program for the Border Prosecution Unit to fulfill the bill provisions. The bill does not require the Criminal Justice Division to fund the Unit's requests.

The bill would take effect September 1, 2015.

### **Methodology**

In 2014, Border Prosecution Grants administered by the CJD were made to 17 eligible jurisdictions averaging \$130,000. The bill provisions would establish the new Border Prosecution Unit with CJD Border Prosecution Grant funding. LBB analysis assumes that the current grants to eligible entities for border prosecutions would be processed by the new Border Prosecution Unit.

The LBB estimates that the bill provisions would entitle the Board of Directors to some reimbursements for eligible costs estimated to be \$10,000 per year.

The LBB estimates that the bill provisions would require an administrator (1.0 FTE x \$80,000 = \$80,000), three contract specialists (3.0 FTEs x \$40,000 = \$120,000), and two training specialists (2.0 FTEs x \$37,500 = \$75,000) at the Border Prosecution Unit to produce reports related to border prosecutions, serve as a clearing house of information, develop training materials and provide training to local law enforcement.

The LBB estimates the three Regional Counsels would require staff to provide prosecutorial and investigative assistance consisting of two attorneys (6.0 FTEs x \$75,000 = \$450,000), two investigators (6.0 FTEs x \$40,000 = \$240,000), two legal assistants (6.0 FTEs x \$40,000 = \$240,000), other contract staff (\$210,000) and travel expenses (\$60,000) for all of the Regional Counsel Offices.

The Texas Association of Counties assumes additional costs will be offset by additional grants provided by the CJD.

### **Local Government Impact**

The bill would result in savings to a county in an amount equivalent to the grant funding provided by the Office of the Governor's Criminal Justice Division for the purposes of the bill.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 301 Office of the Governor, 304 Comptroller of Public Accounts, 405 Department of Public Safety

**LBB Staff:** UP, FR, ESi, AI, JAW, KVe, EP, LBe, LCO