

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 2, 2015

TO: Honorable Larry Phillips, Chair, House Committee on Homeland Security & Public Safety

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB477** 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 HB477, As Introduced: a negative impact of (\$12,039,794) 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:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	(\$6,232,216)
2017	(\$5,807,578)
2018	(\$5,807,578)
2019	(\$5,807,578)
2020	(\$5,807,578)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2013
2016	(\$6,232,216)	9.0
2017	(\$5,807,578)	9.0
2018	(\$5,807,578)	9.0
2019	(\$5,807,578)	9.0
2020	(\$5,807,578)	9.0

Fiscal Analysis

The bill would amend Chapter 411 of the Government Code to require the Department of Public Safety (DPS) to provide written notice by mail to the subject of a criminal records 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, 2015.

Methodology

DPS reports that in fiscal year 2014 it processed 8,747,362 criminal history record information requests that would require notification under the bill's provisions. Assuming the same volume for fiscal years 2016 through 2020, the agency would be required to mail 8,747,362 notifications per year. Costs of paper, envelopes, and postage are estimated at \$5,405,870 annually based on materials and postage rates for a one-page notification letter and three-page copy of the criminal record history. It is assumed that the agency would need nine additional full-time equivalent positions (Clerk IV) to process the notifications, at an annual salary of \$33,339. This would result in annual salary costs of \$300,051 and annual employee benefits costs of \$101,658.

Technology

One-time costs in fiscal year 2016 of \$200,000 for information technology equipment and \$224,638 for information technology contractors are 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, JAW, ESi, AI, KNi