

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

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**  
**Revision 1**

**May 6, 2015**

**TO:** Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

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

**IN RE:** **HB1586** by McClendon (Relating to the operation and administration of the Texas Juvenile Justice Department and its facilities, to the operation of post-adjudication secure correctional facilities for juvenile offenders, and to the commitment and placement of juvenile offenders.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1586, Committee Report 1st House, Substituted: a negative impact of (\$3,100,392) 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	(\$1,586,435)
2017	(\$1,513,957)
2018	(\$1,499,207)
2019	(\$1,499,207)
2020	(\$1,499,207)

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

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2015
2016	(\$1,586,435)	14.0
2017	(\$1,513,957)	14.0
2018	(\$1,499,207)	14.0
2019	(\$1,499,207)	14.0
2020	(\$1,499,207)	14.0

## **Fiscal Analysis**

The bill would amend various codes as they relate to the functions of Texas Juvenile Justice Department (TJJD). The bill would require the establishment of juvenile regional associations by the Juvenile Justice Board and at least one full-time equivalent (FTE) designated per region to provide oversight and assistance to the region in furthering its juvenile justice goals, including the goal of reducing the number of youth committed to TJJD. Each regional association would be required to develop a written plan that includes certain information. The initial plans must be submitted not later than May 1, 2016 and must include provisions for the implementation of the plan beginning not later than December 1, 2016. The bill would allow the commitment of juveniles to a state secure facility without a determinate sentence, only if the court finds that that commitment is appropriate and necessary to meet the youth's needs, as demonstrated by evidence presented at hearing, including the results of a validated risk and needs assessment. The bill would require the TJJD Office of the Independent Ombudsman (OIO) to assess the rights of youth at post-adjudication facilities. The Independent Ombudsman would report the findings of any investigation to the chief juvenile probation officer, the juvenile board of the county, and to the juvenile probation department that arranged placement of the juvenile. The OIO and the Juvenile Justice Board would be required to adopt rules that establish procedures for certain local juvenile administrators or juvenile boards to comment on investigation reports of the OIO. The bill would allow the transfer of TJJD closed facilities to a county or municipality with the assistance of the General Land Office (GLO). Any costs to GLO associated with such transfer would be reimbursed by the county or municipality.

The bill would take effect immediately with the necessary vote; otherwise the bill would take effect September 1, 2015.

## **Methodology**

The regional associations required by the bill are assumed to be the same as the seven current probation chiefs' association regions. TJJD has determined the need for seven additional FTEs for assignment to regional associations as specified by the bill. The cost of these field employees would be \$720,700 in fiscal year 2016, \$710,200 in fiscal year 2017, and \$715,450 for every year thereafter. In addition to TJJD costs, benefits for these FTEs would cost \$192,185 per fiscal year.

TJJD has determined that the increased responsibility of the OIO would result in seven additional FTEs to visit youth placed in post-adjudication facilities, at a cost of \$560,500 in fiscal year 2016, \$494,000 in fiscal year 2017, and \$474,000 for every fiscal year thereafter. In addition to TJJD costs, benefits for these FTEs would cost \$113,050 in fiscal year 2016, and \$117,572 for every fiscal year thereafter.

The total fiscal impact of the bill would be \$1,586,435 in fiscal year 2016, \$1,513,957 in fiscal year 2017, and \$1,499,207 for every following fiscal year.

A significant reduction of youth committed to TJJD facilities is not anticipated due to the general criteria established in the bill resulting in judges retaining discretion when making youth commitment decisions. TJJD training and technical assistance provided to the regional associations and development of discretionary grant funding protocols are assumed to be a continuation of existing agency functions required by Human Resources Code, Title 12.

## **Technology**

The technology costs associated with the 14 FTEs is estimated to be \$28,250, for

computers, electronic accessories, mobile phones, and phone plans.

**Local Government Impact**

There may be costs to local juvenile probation departments to participate in the regionalization program and to comply with discretionary funding protocols. Local juvenile probation departments would need to devote staff resources to planning and increasing local programming to accommodate additional youth. Tom Green County reported a total cost of \$48,000 including additional staff and operational costs to comply with the provisions of the bill.

There could be costs to a county or municipality that accepts transferred property. However, it is assumed that county or municipality would agree to the transfer only if sufficient funds were available or it would not result in a negative fiscal impact; therefore, no significant fiscal impact is anticipated.

**Source Agencies:** 305 General Land Office and Veterans' Land Board, 644 Juvenile Justice Department

**LBB Staff:** UP, ESi, AI, RCa, KVe, JPo