

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

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

**May 21, 2015**

**TO:** Honorable Charles Schwertner, Chair, Senate Committee on Health & Human Services

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

**IN RE: HB2053** by Farney (Relating to the protection of certain children who may be subject to child abuse or neglect through the operation of the child safety check alert list and training for law enforcement officers relating to the child safety check alert list.), **Committee Report 2nd House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2053, Committee Report 2nd House, Substituted: a negative impact of (\$3,189,026) through the biennium ending August 31, 2017.

**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2016	(\$2,093,167)
2017	(\$1,095,859)
2018	(\$1,095,859)
2019	(\$1,095,859)
2020	(\$1,095,859)

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

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from General Revenue Fund</b>	<b>Change in Number of State Employees from FY 2015</b>
	<b>1</b>	
2016	(\$2,093,167)	11.0
2017	(\$1,095,859)	11.0
2018	(\$1,095,859)	11.0
2019	(\$1,095,859)	11.0
2020	(\$1,095,859)	11.0

**Fiscal Analysis**

The bill would amend the Family Code to require the Department of Family and Protective Services (DFPS), during an investigation of a Priority 1 report of abuse or neglect, to notify the Department of Public Safety (DPS) that DFPS is unable to locate a child who is the subject of the Priority 1 report and and/or the child's family. The bill would require DPS to conduct an

investigation to locate the child and/or the child's family, including placing the child/family on the Child Safety Check Alert List (CSCAL).

This bill would delete the requirement that DFPS obtain a court order requiring DPS to place the child/family on the CSCAL. The bill also stipulates certain procedures for responding law enforcement officers, including the detention of individuals in the officer's presence that are described in the alert list.

The bill would require DPS, with the assistance of DFPS, to submit an annual report to the Legislature on the use of the Texas Crime Information Center's child safety check alert list.

The bill would require the Texas Commission on Law Enforcement to establish a training program on the Texas Crime Information Center's child safety check alert list. It would also require law enforcement officers seeking intermediate or advanced proficiency certification to have completed a training program on the Texas Crime Information Center's child safety check alert list.

The bill would take effect on September 1, 2015

### **Methodology**

It is assumed DPS would require additional resources to implement the provisions of the bill. It is also assumed such costs would be out of the General Revenue Fund 01.

It is assumed the bill would require an additional two Crime Analyst II FTEs for the Missing Persons Clearinghouse (in DPS' Intelligence and Counterterrorism Division). These positions would assist in locating a child and/or the child's family who is the subject of a Priority 1 report, upon request of DFPS. The salary and benefits costs total \$125,783 in each fiscal year.

It is assumed the bill would also require an additional three Customer Services Representative III FTEs for DPS' Law Enforcement Support Division. These positions would be responsible for the maintenance of the Child Safety Check Alert List. They would also be available to respond to information requests on a 24/7 basis, and would assist DFPS and other agencies on a 24/7 basis. The salary and benefits costs total \$150,005 in each fiscal year.

It is assumed the bill would require an additional Crimes Against Children Investigators for each of the agency's six regions. These Investigators would possess the skills required to locate missing children and/or their families. DPS has indicated that these positions would not be Texas Rangers or Special Agents in the Criminal Investigations Division. These Investigators would be the equivalent of Sergeants/Special Agents within DPS. The salary and benefits costs for these six Investigators total \$752,151 in each fiscal year.

It is also assumed the above positions would require a total of \$1,065,228 in fiscal year 2016 for certain one-time costs, including office furniture, training, vehicles, equipment, computers, phones, and background checks. Ongoing support is assumed to be \$67,920 in each fiscal year thereafter.

It is assumed any costs associated with the bill's requirement that DPS, with the assistance of DFPS, must submit an annual report to the Legislature on the use of the Texas Crime Information Center's child safety check alert list can be absorbed within existing resources.

The bill would require the Texas Commission on Law Enforcement to establish a training program

on the Texas Crime Information Center's child safety check alert list. It is assumed the agency could implement this requirement within existing resources.

### **Technology**

It is assumed the bill would not have a significant technology impact.

### **Local Government Impact**

The bill would require responding law enforcement officers to detain and take into temporary custody individuals that are described in the alert list and notify the Department of Family and Protective Services of the detention. The fiscal impact to local law enforcement agencies would vary depending on the resources of the agency and the number of detentions.

**Source Agencies:** 405 Department of Public Safety, 530 Family and Protective Services,  
Department of

**LBB Staff:** UP, NB, AI, JAW, ESi, KVe, SJ