

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 3, 2017

TO: Honorable Phil King, Chair, House Committee on Homeland Security & Public Safety

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1016 by Krause (Relating to the deferral and reduction or waiver of certain surcharges assessed under the driver responsibility program.), **As Introduced**

The fiscal implications of the bill cannot be determined at this time. It is unknown to what extent those assessed surcharges under the Driver Responsibility Program would participate in or successfully complete drug court programs and by what amount a court would reduce or waive surcharges should that occur.

The bill would allow a court to defer Driver Responsibility Program (DRP) surcharges for affected individuals participating in a drug court program due to the offense that resulted in the surcharge being assessed. Further, if the affected individual successfully completes the drug court program, the bill allows the court to reduce or waive the surcharge assessed for the drug court-related offense. The bill does not specify the extent of the reduction or waiver the court may impose. If enacted, the bill's provisions would apply to unpaid balances in surcharges assessed prior to the effective date of enactment.

According to the Department of Public Safety (DPS), there were 747,532 intoxication cases with unpaid surcharges as of January 2017, including those still in installment agreements, incentive program and those with outstanding balances. However, the extent to which those assessed surcharges for intoxication offenses are participating or would participate in drug court programs or successfully complete such a program is unknown. As a result, the effect of this bill on collections of DRP surcharges cannot be determined.

DPS has indicated that the bill would result in additional workload due to manual record reviews and additional technology costs for related programming. For purposes of this analysis, it is assumed that these costs can be absorbed within existing resources.

If enacted, this bill would take effect September 1, 2017.

Local Government Impact

The fiscal implications of the bill cannot be determined at this time because the number of persons assessed surcharges that would participate in or successfully complete a drug court program is unknown. Based on specialty court data compiled by the Office of the Governor, there were 117 drug and DWI courts in Texas as of December 2016. Texas Government Code (Sec. 123.006) requires counties with populations that exceed 200,000 to establish drug court programs.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304
Comptroller of Public Accounts, 405 Department of Public Safety, 537
State Health Services, Department of, 601 Department of Transportation

LBB Staff: UP, FR, JJ, ZS