

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 18, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3655 by Herrero (Relating to grants awarded to reimburse counties for the cost of monitoring defendants and victims in criminal cases involving family violence.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3655, As Engrossed: a negative impact of (\$2,800,000) through the biennium ending August 31, 2019.

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
2018	(\$1,400,000)
2019	(\$1,400,000)
2020	(\$1,400,000)
2021	(\$1,400,000)
2022	(\$1,400,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1
2018	(\$1,400,000)
2019	(\$1,400,000)
2020	(\$1,400,000)
2021	(\$1,400,000)
2022	(\$1,400,000)

Fiscal Analysis

The bill would amend Government Code relating to grants awarded to reimburse counties for the cost of monitoring defendants and victims in criminal cases involving family violence. The bill would require the Criminal Justice Division (CJD) in the TruSTeED Programs Within the Office of

the Governor to establish program guidelines and provide grants to reimburse counties who participate in certain global positioning monitoring systems. The bill would require a biennial report on the grant program. The bill would allow the CJD to use any revenue available for the purpose of the bill.

The bill would take effect immediately upon receiving two-thirds majority vote in each house. Otherwise, the bill would take effect September 1, 2017.

Methodology

According to the Office of Court Administration's fiscal year 2016 Annual Statistical Report for the Texas Judiciary, there were 3,810 family violence cases filed for indictment in fiscal year 2016. This analysis estimates that approximately 500 cases would rise to level that GPS monitoring would be warranted. The estimate below assumes all cases would be addressed by the grant program.

According to estimates provided by the Office of the Governor, daily costs for monitoring and supervision of the GPS Device is \$10.00 ($\$10.00 \times 500 \text{ cases} = \$5,000/\text{day}$). The Office of the Governor assumed each case will require 90 days of monitoring ($90 \text{ days} \times \$5,000/\text{day} = \$450,000$). In addition, at an average of 50 cases per probation officer, for the 381 cases the costs associated with 10 FTEs ($8 \text{ FTEs} \times \$75,000 \text{ salary fringe} = \$750,000$) would be eligible grants under this bill. According to the Office of the Governor, the Texas Department of Criminal Justice Parole Division reports the average cost of each GPS unit is approximately \$400 ($\$400 \times 500 \text{ cases} = \$200,000$). The total cost for the unit and monitoring would be \$1,400,000 per fiscal year.

To the extent that the grant program is not structured to address all applicable cases, costs would be reduced commensurately. Although the Governor's office assumes all costs could be absorbed by existing resources, this analysis assumes that new funding is required to fulfill the provisions of the bill if funding is not diverted from existing programs to fund these grants.

This analysis assumes administrative duties and responsibilities associated with implementing the provisions of the bill could be accomplished utilizing existing resources in the Trusted Programs Within the Office of the Governor.

Local Government Impact

Grants provided via the provisions of the bill could offset costs to local governments, which then would provide a positive fiscal impact to grant recipients.

Source Agencies: 300 Trusted Programs Within the Office of the Governor

LBB Staff: UP, AG, KJo, WP, LBe, NV