LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 12, 2017

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB3844** by Rose (Relating to the independent ombudsman for county jails.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3844, As Introduced: a negative impact of $1,551,086 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	($803,043)
2019	($748,043)
2020	($748,043)
2021	($748,043)
2022	($748,043)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from *General Revenue Fund* 1	Change in Number of State Employees from FY 2017
2018	($803,043)	9.0
2019	($748,043)	9.0
2020	($748,043)	9.0
2021	($748,043)	9.0
2022	($748,043)	9.0

Fiscal Analysis

The bill would amend the Government Code relating to the responsibilities of the Independent Ombudsman by adding 242 adult county facilities for jurisdiction and review. Currently, the Ombudsman's Office investigates, evaluates, and secures the rights of all youth committed to Juvenile Justice Department institutions, halfway houses, contract residential programs, and those on parole. Under the provisions of the bill, the purpose of the Ombudsman's Office would be expanded to include evaluation of the delivery of services in county jails, and to review and conduct investigations of complaints filed by prisoners in county jails. The provisions of the bill would take effect on September 1, 2017.

Methodology

The expanded purpose and responsibilities of the Independent Ombudsman, under provisions of the bill, would require additional resources to receive and investigate complaints at 242 county jails. The 2018-19 introduced budget projects an average daily population of 24,914 juveniles in state operated or supervised facilities, and the bill amends statute to include adults confined in county jails. Data collected byTCJS reports the population in county jails as of March 2017 was 64,741.

According to the Ombudsman's Office, expanding the duties of the office to include this adult population would require an additional $1,551,086 in the 2018-19 biennium and 9 FTEs to conduct complaint intake and investigations. The costs are projected to be $748,043 each fiscal year following the 2018-19 biennium.

Based on LBB's analysis of HB3844 and the Commission on Jail Standards, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing TCJS resources.

Technology

To fully implement the bill, the Ombudsman's Office estimates it would need to purchase seven laptop computers, monitors, and docking stations, with remote access capabilities. It would also need to purchase five cell phones with service plans. The cost is estimated to be $95,000 in fiscal year 2018 and $40,000 every fiscal year thereafter.

Local Government Impact

According to the Texas Association of Counties, Midland County reported costs would start at an estimated $130,000 per year.

According to Limestone County, costs for a civil position under the provisions of the bill would start at an estimated $45,000 per year.

According to Gillespie County, there would be costs associated with escorting the ombudsman throughout the facility during evaluation and investigation, which would cost $25-$35 per hour for each hour the ombudsman is at the facility.

According to El Paso County, the fiscal impact to the County is not anticipated to be significant.

Source Agencies: 409 Commission on Jail Standards, 644 Juvenile Justice Department

LBB Staff: UP, JGA, AI, MPU, KVe