

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 3, 2017

TO: Honorable Richard Peña Raymond, Chair, House Committee on Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB4094** by Klick (Relating to the access of criminal history record information by the Department of Family and Protective Services.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4094, Committee Report 1st House, Substituted: a positive impact of \$3,646,557 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	\$1,458,623
2019	\$2,187,934
2020	\$2,187,934
2021	\$2,187,934
2022	\$2,187,934

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Probable Savings/(Cost) from <i>Federal Funds</i> 555	Change in Number of State Employees from FY 2017
2018	\$1,458,623	\$74,364	(8.2)
2019	\$2,187,934	\$111,547	(12.3)
2020	\$2,187,934	\$111,547	(12.3)
2021	\$2,187,934	\$111,547	(12.3)
2022	\$2,187,934	\$111,547	(12.3)

Fiscal Analysis

The bill would amend the Government Code and Human Resources Code relating to the access of criminal history record information by the Department of Family and Protective Services (DFPS).

The bill would remove the need for DFPS to complete a name-based criminal history check for a person who already has a fingerprint background check on file.

The bill would allow Health and Human Services Commission (HHSC) to obtain from DFPS, criminal history record information for employment applicants in divisions that are transferring to HHSC from DFPS.

Unless otherwise specified, the bill would take effect September 1, 2017.

Methodology

According to DFPS, the total cost of name-based criminal history checks would be reduced by 85.8 percent to reflect the licensing population that is expected to already have a fingerprint background check on file. Assuming the expense for name-based searches remains constant at the fiscal year 2016 level, the agency estimates a corresponding annual cost savings of \$1,475,740 in All Funds.

In addition, the agency estimates that the corresponding reduction in name-based searches would decrease the annual Full-time Equivalent (FTE) need by 12.3 FTEs. Based on per-FTE cost of \$67,114, DFPS projects a corresponding annual cost savings of \$823,741.

As the effective date for this provision is January 1, 2018, the cost savings projected by the agency in fiscal year 2018 would total \$1,532,987 in All Funds and 8.2 FTEs, and \$2,299,481 in All Funds and 12.3 FTEs each subsequent fiscal year.

Based on information provided by the Department of Public Safety, HHSC, and DFPS, it is assumed that the remaining duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 529 Health and Human Services Commission, 530 Family and Protective Services, Department of

LBB Staff: UP, JLi, KCA, EP