

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 26, 2017

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB302 by Watson (Relating to the continuation and functions of the state bar.), As Engrossed

Estimated Two-year Net Impact to General Revenue Related Funds for SB302, As Engrossed: an impact of \$0 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	\$0
2019	\$0
2020	\$0
2021	\$0
2022	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from Appropriated Receipts 666
2018	\$850,000
2019	\$850,000
2020	\$0
2021	\$0
2022	\$0

Fiscal Analysis

The bill would amend the Government Code to extend the State Bar's sunset expiration date to September 1, 2029 and would require all members of the bar that have not previously done so to submit fingerprints to facilitate a Texas and Federal Bureau of Investigation (FBI) criminal background check, and would allow the bar to suspend or refuse to renew the license of any

member that fails to do so.

The bill would take effect September 1, 2017.

Methodology

According to the State Bar and the Board of Law Examiners, there are 100,000 active state bar members. According to the Department of Public Safety (DPS), the provisions of the bill would require additional checks of all active State Bar members. DPS charges a \$27.00 fee for each application for a fingerprint-based criminal background check. Of this fee amount, the agency retains \$17.00 per application with these amounts counted towards the agency's appropriated receipts and the remainder remitted to the FBI.

This estimate assumes 100,000 active state bar members would be required to submit to a fingerprint-based criminal background check, or 50,000 each year of the 2018-19 biennium. Of the total revenue from this fee, DPS would retain \$850,000 in appropriated receipts each year of the 2018-19 biennium (50,000 applicants X \$17 retained by DPS per application).

According to the Sunset Commission, the Department of Public Safety, the Office of Court Administration, and the Comptroller of Public Accounts, the remaining provisions of the bill could be accomplished through existing resources.

Local Government Impact

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

Source Agencies: 116 Sunset Advisory Commission, 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 405 Department of Public Safety

LBB Staff: UP, GDz, AG, MW, LBO, SD, FR