

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 27, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB2094 by Hall (Relating to establishment of the immigration authority delegation training grant program for local law enforcement agencies.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for SB2094, Committee Report 1st House, Substituted: a negative impact of (\$338,700) 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, assuming the agency implements the program. The agency is not required to implement the legislation in the absence of an appropriation.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2018	(\$282,250)
2019	(\$56,450)
2020	(\$127,025)
2021	(\$70,565)
2022	(\$141,140)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
	1
2018	(\$282,250)
2019	(\$56,450)
2020	(\$127,025)
2021	(\$70,565)
2022	(\$141,140)

Fiscal Analysis

The bill would amend Government Code relating to establishment of the immigration authority

delegation training grant program for local law enforcement agencies.

The bill would require the Governor's Office to develop and maintain a grant program for expenses incurred by local law enforcement agencies related to the attendance of a law enforcement officer in a training program operated by the U.S. Immigration and Customs Enforcement (ICE) agency for the purpose of enforcing federal immigration law. The bill would establish applicant qualifications and the types of expenses that would be eligible for a grant.

The bill would require the Governor's Office to implement the provisions of the bill only if the Legislature appropriates funding specifically for that purpose and would allow the agency to implement the provisions using other appropriations if available. The bill would take effect September 1, 2017.

Methodology

According to the Office of the Governor, the fiscal impact is derived from the salary of an officer attending the training and the overtime pay needed to cover the officer's duties while the officer is participating in the training program. The Office of the Governor anticipates 25 Texas agencies will apply in fiscal year 2018, with 5 additional agencies applying each subsequent fiscal year. The Office of the Governor also assumes that all of these agencies will seek the one week refresher course two years after the initial training. In the 2018-19 biennium, the bill would have an estimated fiscal impact of \$338,700 and would provide grants to train 30 officers.

Based on information provided by the Office of the Governor, the Bureau of Labor Statistics (BLS) gives an annual mean wage of \$58,710 for "Police and Sheriff's Patrol Officers" in Texas. The salary costs per officer have been prorated to four weeks (\$4,516) for the training program and one week (\$1,129) for the refresher course. For the purpose of this analysis, the standard overtime pay of 1.5 times the normal salary is used for the overtime used to cover the officer's duties during a four week initial training (\$6,774) and one week refresher training (\$1,694).

The total salary cost of the officer's salary plus the overtime pay needed to cover his or her duties totals \$11,290 (\$4,516 + \$6,774) for a four week training and \$2,823 (\$1,129 + \$1,694) for a one week refresher training.

Based on the assumptions above, 25 agencies are expected to be awarded in the first year of the program, with 5 agencies per year awarded thereafter. Because refresher courses must be taken every two years to maintain the ICE partnership requirements, this represents an additional costs incurred beginning the third year after the bill takes effect.

FY 2018: \$282,250 (25 officers x \$11,290 wages and overtime);

FY 2019: \$56,450 (5 officers x \$11,290 wages and overtime);

FY 2020: \$127,025 (5 officers x \$11,290 wages and overtime + 25 officer refresher courses x \$2,823 wages and overtime);

FY 2021: \$70,565 (5 officers x \$11,290 wages and overtime + 5 officer refresher courses x \$2,823 wages and overtime); and

FY 2022: \$141,140 (5 officers x \$11,290 wages and overtime + 30 officer refresher courses x \$2,823 wages and overtime).

The estimate above assumes all applications for the program would be fully funded. To the extent that the grant program is not structured to address all applications, costs would be reduced commensurately. This analysis estimates the costs of implementing the provisions of the bill assuming either the Legislature appropriates money specifically for that purpose or the agency

identifies available funds.

Local Government Impact

According to the Office of the Governor, the bill would result in a cost savings of \$338,700 to local law enforcement agencies seeking to send an officer to ICE training.

Source Agencies: 300 Trusted Programs Within the Office of the Governor, 304 Comptroller of Public Accounts

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