

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 10, 2019**

**TO:** Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB2491** by Wu (Relating to the disposition of a juvenile who engages in delinquent conduct that violates a penal law of the grade of state jail felony.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2491, As Introduced: a positive impact of \$35,377,149 through the biennium ending August 31, 2021.

Additional costs potentially associated with increased demand on juvenile probation programming are not included in this analysis and could be significant.

**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2020	\$7,521,913
2021	\$27,855,236
2022	\$31,232,949
2023	\$31,204,022
2024	\$31,204,022

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from General Revenue Fund</b>
2020	\$7,521,913
2021	\$27,855,236
2022	\$31,232,949
2023	\$31,204,022
2024	\$31,204,022

**Fiscal Analysis**

The bill would amend the Family Code to prohibit a juvenile court from committing a child to the Texas Juvenile Justice Department who was found to have engaged in delinquent conduct

constituting a state jail felony offense. The bill would take effect on September 1, 2019 and apply only to conduct that occurs on or after the effective date of the Act.

### **Methodology**

Prohibiting the commitment of certain juveniles to the Texas Juvenile Justice Department (TJJD) is expected to result in decreased demands upon the juvenile justice system's state residential facilities. It is assumed juveniles who could no longer be committed to TJJD state residential facilities would be placed on adjudicated probation supervision and served by juvenile probation departments within their local community. In fiscal year 2018, there were 145 juveniles committed to TJJD state residential facilities who would no longer be eligible to be committed under the provisions of the bill. Savings and costs are based on cost per day figures as reported in the LBB's *January 2019 Criminal and Juvenile Justice Uniform Cost* report. Savings are estimated based on the state costs per day for juveniles in TJJD state residential facilities (\$479.56) and on juvenile parole supervision (\$41.07). Costs are estimated based on the state cost per day for juvenile probation supervision (\$3.53).

This analysis assumes the bill's provisions would reach partial implementation in fiscal year 2020 and reach full implementation in fiscal years 2021 and beyond. The net impact to state correctional agencies is estimated to be a savings of \$7,521,913 in fiscal year 2020 and \$27,855,236 in fiscal year 2021.

This analysis does not include potentially significant costs associated with probation programming such as mental health, substance abuse, or other specialized services, including placement in residential post-adjudication facilities. The Office of Court Administration indicates the modifications outlined in the bill's provisions will not result in a significant fiscal impact to the state court system.

### **Local Government Impact**

According to the Texas Juvenile Justice Department, the bill would have a significant negative fiscal impact on county juvenile probation departments.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 644 Juvenile Justice Department

**LBB Staff:** WP, LBO, LM, JPo