

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 16, 2019

TO: Honorable Poncho Nevárez, Chair, House Committee on Homeland Security & Public Safety

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

IN RE: HB3566 by Farrar (Relating to the forensic examination of a victim of an alleged strangulation assault or sexual assault.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3566, As Introduced: an impact of \$0 through the biennium ending August 31, 2021.

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
2020	\$0
2021	\$0
2022	\$0
2023	\$0
2024	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from Crime Victims Comp Acct 469
2020	(\$6,074,490)
2021	(\$6,074,490)
2022	(\$6,074,490)
2023	(\$6,074,490)
2024	(\$6,074,490)

Fiscal Analysis

The bill amends the Code of Criminal Procedure to authorize law enforcement entities and healthcare facilities to seek reimbursements for forensic medical examinations related to

strangulation assaults from the Crime Victims Compensation program within the Office of the Attorney General. The bill takes effect September 1, 2019.

Methodology

Based on analysis by the Office of the Attorney General (OAG), the provisions of the bill authorizing forensic medical examination reimbursements for victims of strangulation assaults would have a fiscal impact due to increased disbursements of crime victims compensation. This includes approximately 7,100 new forensic examination reimbursements averaging \$690 annually, and an average increase of \$450 for another 2,600 sexual assault examination reimbursements annually. This increase would result in a fiscal impact of approximately \$6.1 million a year from General Revenue-Dedicated Fund 0469, Compensation to Victims of Crime.

The federal Victims of Crime Act does not include strangulation exams as allowable reimbursements. To implement the bill, the OAG would have to request a ruling from the United States Department of Justice to authorize federal reimbursement of strangulation exam expenses. A negative federal ruling would require the state to cover all strangulation exam expenses without the 60% federal reimbursement. Analysis by the OAG indicates that additional staff resources would be required to process requests for reimbursements from medical facilities and law enforcement entities, including the removal of potential duplicate requests. However, it is assumed that these staffing costs could be absorbed within existing agency resources.

Based on analysis by the Health and Human Services Commission, the Department of Family and Protective Services, the Department of Public Safety, and the Office of Court Administration, it is assumed that any other costs associated with implementing the provisions of the bill could be absorbed within existing resources.

Technology

Analysis by the OAG indicates that modifications to the Crime Victims Management System would be required to implement the provisions of the bill, but it is assumed that these costs could be absorbed within existing agency resources.

Local Government Impact

The bill authorizes additional reimbursements to local law enforcement entities. Because the volume and amount of such reimbursements cannot be estimated, the fiscal implications of the bill on local government cannot be determined at this time

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 405 Department of Public Safety, 529 Health and Human Services Commission, 530 Family and Protective Services, Department of

LBB Staff: WP, LBO, NV, JMO