

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: **HB3858** by Johnson, Jarvis (Relating to an employment termination report submitted by a law enforcement agency.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3858, 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 Law Officer Stds & Ed Ac 116	Change in Number of State Employees from FY 2019
2020	(\$167,710)	2.0
2021	(\$124,192)	2.0
2022	(\$132,190)	2.0
2023	(\$124,192)	2.0
2024	(\$132,190)	2.0

Fiscal Analysis

The bill would allow an amended employment termination report to be submitted at any time if the head of a law enforcement agency or the head's designee determines amending the initial report is

necessary based on a reconsideration of the circumstances under which the license holder resigned, retired, was terminated, or separated from the agency.

The bill would take effect on September 1, 2019.

Methodology

Based on the cost analysis from the Texas Commission on Law Enforcement (TCOLE), the provisions of the bill would cost \$167,710 in General Revenue-Dedicated Account No. 116 in fiscal year 2020 and \$124,192 in fiscal year 2021. There would also be additional technology costs once each biennium associated with additional computer storage.

TCOLE receives and processes employment termination reports, verifies documents, and coordinates contested case hearings. With the current process, as limited to 20 days for appeal or amendment after submission, 380 appeal hearings were held in FY 2018. TCOLE anticipates a significant number of additional employment termination reports will be submitted as the result of the provisions of the bill, requiring additional personnel. The cost estimate is based on the costs associated with 2.0 Legal Secretary II positions for the on-going costs associated with the anticipated increase in report filings and related appeal hearings.

Technology

This analysis assumes programming costs for four programmers at \$35,520 (\$185/hour for 48 hours), as well as \$7,998 for 3 terabytes of storage in the first year, and every two subsequent years. The estimated professional services costs would cover programming, user testing, and deployment of the new process to be set forth under the bill.

Local Government Impact

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

Source Agencies: 407 Commission on Law Enforcement

LBB Staff: WP, LBO, AI, NA, AF, SPa