

**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: HB4336** by Stickland (Relating to requiring the expulsion of a public school student who engages in certain conduct that constitutes the offense of terroristic threat.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB4336, As Introduced: a negative impact of (\$9,455,616) through the biennium ending August 31, 2021.

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

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2020	(\$4,255,027)
2021	(\$5,200,589)
2022	(\$5,253,120)
2023	(\$5,253,120)
2024	(\$5,253,120)

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

Fiscal Year	Probable Savings/(Cost) from <i>Foundation School Fund</i> 193
2020	(\$4,255,027)
2021	(\$5,200,589)
2022	(\$5,253,120)
2023	(\$5,253,120)
2024	(\$5,253,120)

**Fiscal Analysis**

The bill would amend the Education Code to require the expulsion of a public school student who engages in certain conduct that constitutes the offense of terroristic threat. The bill would take effect on September 1, 2019 and apply to any student who attends school on or after the effective date of the Act, regardless of the date on which the conduct occurred.

## **Methodology**

Requiring the expulsion of juveniles who engage in terroristic threat from public schools is expected to result in increased demands upon the juvenile justice system. In fiscal year 2018, 960 juveniles were referred to juvenile probation departments for the offense of terroristic threat who met the provisions of the bill.

Students subject to mandatory expulsion in counties of a certain size are served in Juvenile Justice Alternative Education Programs (JJAEP). The General Appropriations Act limits reimbursement to counties providing services to juveniles subject to mandatory expulsion for certain offenses. This analysis assumes the current maximum reimbursement rate of \$96 per day from the Foundation School Program Fund disbursed through the Texas Juvenile Justice Department.

Based on an analysis of the attendance of relevant juveniles exiting JJAEP's in fiscal year 2018, it is estimated these juveniles will have an average of 57 attendance days. 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 the Foundation School Program Fund is estimated to be a cost of \$4,255,027 in fiscal year 2020 and \$5,200,589 in fiscal year 2021.

## **Local Government Impact**

Bexar, Lubbock, and Lamb County Juvenile Probation Departments estimate a substantial fiscal impact to their departments, however the exact cost cannot be determined at this time. Nueces County Juvenile Department contracts with a third party vendor to execute the operations of its Juvenile Justice Alternative Education Program and therefore does not anticipate any fiscal impact to their department.

**Source Agencies:** 644 Juvenile Justice Department, 701 Texas Education Agency

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