

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 23, 2019

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

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

IN RE: **SB1804** by Kolkhorst (Relating to the entry into the Texas Crime Information Center of certain information regarding conditions of bond imposed in criminal cases involving family violence.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1804, As Passed 2nd House: a negative impact of (\$1,400,000) through the biennium ending August 31, 2021 from provisions of the bill related to changing the effective date of a surcharge assessed for the disposal of nonparty compact waste.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2020	(\$700,000)
2021	(\$700,000)
2022	\$0
2023	\$0
2024	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from <i>General Revenue Fund</i> 1	Probable Revenue Gain/(Loss) from <i>Environmental Rad & Perpetual Care</i> 5158
2020	(\$700,000)	(\$1,500,000)
2021	(\$700,000)	(\$1,500,000)
2022	\$0	\$0
2023	\$0	\$0
2024	\$0	\$0

Fiscal Analysis

The bill would amend the Code of Criminal Procedure, the Government Code, the Health and Safety Code, and the Special District Local Laws Code.

The provisions of the bill that amend the Code of Criminal Procedures would require that certain notices to local law enforcement and victims be given relating to orders ordering, modifying, or removing a condition of bond imposed in criminal cases involving family violence. In addition, the bill would require certain information regarding these conditions of bond be added to the Texas Crime Information System (TCIC) by local law enforcement agencies.

The provisions of the bill related to the Government Code would authorize a grant program at the Office of the Governor for monitoring defendants and victims in family violence cases and authorize the use of any revenue available for this program.

The provisions of the bill that relate to the Health and Safety Code would change the effective date from September 1, 2019 to September 1, 2021 for increasing the surcharge assessed by the Texas Commission on Environmental Quality (TCEQ) from 10 to 20 percent of the total contracted rate for the disposal of nonparty compact waste at the Compact Waste Disposal Facility. The bill would amend the Health and Safety Code to delay the remittance of five percent of the license holder of the Compact Waste Disposal Facility's gross receipts received from the disposal of radioactive substances under the license from September 1, 2019 to September 1, 2021.

The provisions of the bill related to the Special District Local Laws code would allow certain districts to impose a sales and use tax.

Methodology

This section addresses the provisions of the bill related to changing the effective date of the surcharge assessed by TCEQ for the disposal of nonparty compact waste at the Compact Waste Disposal Facility.

Under current law, beginning on September 1, 2019 the surcharge assessed by TCEQ for the disposal of nonparty compact waste at the Disposal Facility would increase from 10 to 20 percent and the license holder for the disposal site would be required to begin remitting five percent of its gross disposal receipts to the State. Surcharges on the disposal of nonparty compact waste at the Disposal Facility are deposited to the credit of General Revenue-Dedicated Environmental Radiation and Perpetual Care Account No. 5158 (Account No. 5158) and remittance of five percent of the license holder's gross disposal receipts is deposited to the credit of the General Revenue Fund.

According to the Comptroller of Public Accounts and taking into consideration revenue estimates as provided in the Comptroller's Biennial Revenue Estimate, this estimate assumes that delaying increasing this surcharge until September 1, 2021 would result in revenue reductions of \$1,500,000 for each fiscal year of the 2020-21 biennium to Account No. 5158. In addition, this estimate assumes delaying the remittance of five percent of the license holder's gross disposal receipts from operations that were deposited to the credit of the General Revenue Fund until September 1, 2021 would result in an annual revenue decrease of \$700,000 each fiscal year of the 2020-21 biennium.

According to the Office of Court Administration (OCA), the provisions of the bill related to TCIC no significant impact to the state court system is anticipated.

According to the Department of Public Safety (DPS), the provisions of the bill related to TCIC would have a fiscal impact related to programming costs for modifying the existing TCIC database. It is assumed that the provisions of the bill relating to the modifications of TCIC by the Department of Public Safety could be absorbed using existing resources.

It is assumed that the provisions of the bill related to the grant program for monitoring defendants and victims in family violence cases could be absorbed using existing resources.

The provisions of the bill that relate to the Special District Local Laws Code are not anticipated to have a significant fiscal implication to the State.

Local Government Impact

For the provisions of the bill related to TCIC, according to OCA, there may be a cost to local courts to implement the notice provisions of the bill. However, the cost will vary by jurisdiction and the agency does not have data with which to estimate the impact. According to DPS, local agencies will be impacted as their systems will need to facilitate entry and modification of bond conditions for transmission to TCIC. According to the Texas Municipal League, no significant impact to cities is anticipated. According to Hunt County, no significant fiscal impact is anticipated.

The provisions of the bill related to authorizing certain districts to impose a sales and use tax cannot be determined at this time.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304
Comptroller of Public Accounts, 405 Department of Public Safety, 582
Commission on Environmental Quality

LBB Staff: WP, LBO, SD, GP, GDz, JSm