

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

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**March 17, 2021**

**TO:** Honorable James White, Chair, House Committee on Homeland Security & Public Safety

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB8** by Pacheco (Relating to access by a hiring law enforcement agency to an applicant's employment records.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB8, As Introduced: a negative impact of (\$981,008) through the biennium ending August 31, 2023.

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

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2022	(\$744,360)
2023	(\$236,648)
2024	(\$237,040)
2025	(\$237,040)
2026	(\$237,040)

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

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2021</i>
2022	(\$744,360)	2.0
2023	(\$236,648)	2.0
2024	(\$237,040)	2.0
2025	(\$237,040)	2.0
2026	(\$237,040)	2.0

**Fiscal Analysis**

The bill would amend the Occupations Code to require law enforcement agencies to provide an electronic exchange of licensee employment records to a hiring agency.

**Methodology**

The bill would require the Texas Commission on Law Enforcement (TCOLE) to implement a system that allows a law enforcement agency make a person's employment records electronically available to a hiring law enforcement agency. Additionally, the system would be required to provide appropriate privacy and security protections.

Based upon the information provided by the agency, it is assumed it would cost \$500,000 in fiscal year 2022

for the database system and portal that would be used to facilitate the provisions of the bill.

Additionally, it would require one Systems Support Specialist IV and one Program Specialist II to implement and maintain the system. The total cost for hiring 2.0 FTEs is estimated to be \$152,320 in fiscal year 2022, \$144,608 in fiscal year 2023, and \$145,000 in each fiscal year thereafter.

According to the Department of Public Safety, no significant fiscal impact to the agency is anticipated.

This analysis assumes implementing the provisions of the bill would not result in a significant impact on state correctional populations or on the demand for state correctional resources.

### **Technology**

According to TCOLE, the estimated cost for electronic security would cost \$81,000 per fiscal year and the cloud storage would cost \$11,040 per fiscal year.

### **Local Government Impact**

Taylor County does not anticipate any significant fiscal impact from HB 8, as introduced, provided there is no increase in the rate at which employee records are requested.

According to the constables from Travis and Hidalgo counties, the records required to be released are unclear, and the bill could increase current reporting requirements.

**Source Agencies:** 405 Department of Public Safety, 407 Law Enforcement

**LBB Staff:** JMc, DKn, KFB, NA