

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 10, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB103 by Landgraf (Relating to establishment of the Texas Active Shooter Alert System.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB103, As Introduced: a negative impact of (\$7,851,480) 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	(\$4,769,154)
2023	(\$3,082,326)
2024	(\$3,082,326)
2025	(\$3,085,024)
2026	(\$3,082,326)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable (Cost) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2021</i>
2022	(\$4,769,154)	3.0
2023	(\$3,082,326)	3.0
2024	(\$3,082,326)	3.0
2025	(\$3,085,024)	3.0
2026	(\$3,082,326)	3.0

Fiscal Analysis

The bill would amend the Government Code to require the Department of Public Safety (DPS) to develop and implement a "Texas Active Shooter Alert System" to be activated upon the request of a local law enforcement agency on a report of an active shooter in a 50-mile radius of the active shooter's location. The bill would require that local law enforcement agencies verify certain criteria prior to contacting DPS to request activation of the alert system.

The bill would also require the Texas Department of Transportation (TxDOT) to establish a plan to provide this alert's information to the public using existing dynamic message signs across the state.

Methodology

Under the provisions of the bill, DPS is required to develop and implement an alert system similar to existing alert systems that use TxDOT's Dynamic Messaging Signs (DMS) that could be activated on the request of a local law enforcement agency regarding an active shooter and would direct DPS to activate the alert system in a 50-mile radius of the active shooter's location.

According to the agency, the current alert systems could not effectively or successfully facilitate the timely alerting of the general public to an active shooter event. Additionally, DPS' current alerting system activations are not capable of being limited to a designated 50-mile radius of a given location. DPS' Intelligent and Counter-Terrorism (ICT) Division currently utilizes an internal system for the existing alerts. If DPS is required to move forward with the proposed system, the agency states it would be more effective to migrate the current size existing alerts program from ICT to a new, modern, and consolidated platform.

Modernizing the agency's alerts would require the following additional resources: \$50,000 per fiscal year for Integrated Public Alert and Warning System (IPAWS) integration; \$25,000 per fiscal year for Incident Management Tools; \$2.5 million in fiscal year 2022 for initial roll-out costs; \$2.5 million per fiscal year for annual recurring costs, and \$345,552 in fiscal year 2022 and \$200,000 per fiscal year thereafter for implementation costs.

Additionally, this would require two Program Specialists IV and one Crime Analyst II. The total cost for hiring 3.0 FTEs is estimated to be \$348,602 in fiscal year 2022 and \$307,326 in each fiscal year thereafter.

Based on the information provided by TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Note: TxDOT indicates that the use of dynamic message signs for the Active Shooter Alert is not specifically permitted under the federal Manual on Uniform Traffic Control Devices. The Federal Highway Administration (FHWA) has general authority to withhold funds from states for noncompliance with federal laws and regulations. However, TxDOT also reports that other current alert programs, such as the Silver Alert program, are also not specifically authorized, and the FHWA has not indicated any objections to these programs.

Technology

According to DPS, the estimated cost to fund license, maintenance, and support of a cloud-hosted notification platform with the required integrations and databases for maximum cover of Texas would be \$2.5 million per fiscal year. The total Technical Impact is estimated to be \$2.8 million in FY 2022 and \$2.7 million per fiscal year thereafter.

Local Government Impact

The Texas Association of Counties does not anticipate a significant fiscal impact to counties.

The City of Abilene does not anticipate a fiscal impact to the city.

The City of Houston anticipates an initial cost of \$130,000 related to software and advertising costs, and \$25,000 per fiscal year thereafter due to continued software and maintenance. The potential personnel costs cannot be determined.

The City of Dallas anticipates a fiscal impact, but in an amount that cannot be determined at this time.

Source Agencies: 300 Trusteed Programs - Gov, 405 Department of Public Safety, 407 Law Enforcement, 601 Department of Transportation

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