

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 12, 2021

TO: Honorable Victoria Neave, Chair, House Committee on Juvenile Justice & Family Issues

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2278 by Bernal (Relating to the expulsion of public school students for engaging in conduct that constitutes serious offenses.), **As Introduced**

No significant fiscal implication to the State is anticipated.

Among the bill's provisions, it would require that a student be expelled from school if the student engages in certain prohibited conduct against an employee or volunteer in retaliation for the victim's employment or association with the school, whether or not the prohibited conduct occurred on or off school property or at a school-related event.

Under current law, state expenditures related to Juvenile Justice Alternative Education Programs are determined by a sum certain appropriation to the Texas Education Agency (TEA). Funds appropriated to TEA are transferred to the Texas Juvenile Justice Department (TJJD) and are distributed to counties based on a series of formulas contained in TJJD Rider 13, Juvenile Justice Alternative Education Program. Therefore, under current law, the bill would have no significant fiscal impact to the state.

The Texas Education Agency estimates that there would be costs associated with updating the Texas State Data System to track disciplinary actions associated with the bill. However, this analysis assumes that those costs could be absorbed using existing resources.

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

Local Government Impact

The Legislative Budget Board surveyed juvenile probation departments to determine the impact that the bill would have on those entities. Below is a summary of responses provided by juvenile probation departments.

Kerr County Juvenile Probation Department does not anticipate a fiscal impact.

Williamson County Juvenile Probation Department does not anticipate a fiscal impact.

El Paso County Juvenile Justice Center does not anticipate a fiscal impact.

Wood County Juvenile Probation Department cannot determine the potential impact to their department because they do not currently serve students who have been expelled, and therefore do not have services in place for expelled students.

Galveston County Juvenile Justice Department anticipates a significant fiscal impact of between \$337,890 and \$369,506 to the department due to required new staff, educational staff contracts, mental health services, and additional food contacts. The department also anticipates a fiscal impact of approximately \$2,000,000 to construct permanent JJAEP facilities. The cost estimates are based on historical referrals of expelled students and pre-existing reduction in reimbursement fees based on attendance data.

Cameron County Juvenile Justice Department anticipates a significant fiscal impact between \$460,000 to \$477,405 per year due to required new staff and increased referral costs. Cameron County Juvenile Justice Department works with 13 school districts and provides a JJAEP program for mandated and discretionary students.

Source Agencies: 701 Texas Education Agency

LBB Staff: JMc, DKN, AH, THO, AF