

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 12, 2021

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB922 by Seliger (Relating to contracts for fingerprinting services entered into by the Department of Public Safety of the State of Texas.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB922, As Introduced: a negative impact of (\$1,614,261) through the biennium ending August 31, 2023.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2022	(\$1,011,986)
2023	(\$602,275)
2024	(\$602,275)
2025	(\$602,275)
2026	(\$602,275)

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	(\$1,011,986)	5.0
2023	(\$602,275)	5.0
2024	(\$602,275)	5.0
2025	(\$602,275)	5.0
2026	(\$602,275)	5.0

Fiscal Analysis

The bill would amend the Government Code to require the Texas Department of Public Safety (DPS), if entering into a contract with a vendor that provides fingerprint services throughout the state for use in accessing criminal history record information, to include in the contract that the vendor is required to notify DPS and the public of a closure 45 days before and provide a mobile unit in the affected area until a replacement location is opened at full capacity. The contract should allow DPS to obtain fingerprinting services through a second vendor if it is determined that the original vendor has not met contract requirements in a reasonable.

Additionally, the bill would require DPS to review and prepare an annual report regarding the contracted

vendor's services and performance relating to the availability of fingerprinting appointments throughout the state, including wait times, and a study of the miles required to travel throughout the state for fingerprinting services. DPS shall provide this report to the Governor and Legislature.

Methodology

The bill would require DPS to review and prepare a report each year on the services provided by the vendor that provides a determination of the vendor's ability to address adequately the need for fingerprinting services throughout the state based on availability of appointments and wait times, as well as the number of miles required to travel to receive fingerprinting services.

According to DPS, it would require 4.0 Auditors III and 1.0 Program Supervisor VI to provide the enhanced contract supervision and increased auditing capacity required by the bill. Since the bill does not specify the type of closures, DPS' analysis is based on the expectation for notification of all closures within 45 days, a mobile unit for each closure, and contracting with another vendor. The FTEs will be needed to monitor these requirements for each location, which includes approximately 120 locations. The total cost for hiring 5.0 FTEs is estimated to be \$443,385 in each fiscal year, which includes salary, benefits, and other personnel costs.

DPS indicates the auditors will be expected to travel to audit sites statewide, so costs include \$119,372 in fiscal year 2022 to purchase four vehicles and \$20,000 in travel each fiscal year. The Program Supervisor would require 20 percent travel, \$1,500 per year, but would not need a dedicated state vehicle. Additionally, training costs for all 5.0 FTEs is estimated to be \$3,000 in fiscal year 2022 and \$1,500 in each fiscal year thereafter.

Technology

According to DPS, it would cost \$215,000 in fiscal year 2022 to develop a connection and data exchange with a second fingerprint provider for License to Carry, Capital Access Pass, and Private Security programs, and to update internal and external applications and databases.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety

LBB Staff: JMc, DKN, KFB, NA