

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

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

**April 14, 2021**

**TO:** Honorable Joan Huffman, Chair, Senate Committee on Jurisprudence

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

**IN RE: SB1268** by West (Relating to an employment termination report and other records submitted to the Texas Commission on Law Enforcement by a law enforcement agency.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1268, As Introduced: a negative impact of (\$139,456) 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	(\$71,661)
2023	(\$67,795)
2024	(\$67,795)
2025	(\$67,795)
2026	(\$67,795)

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

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund</i>	<i>Change in Number of State Employees from FY 2021</i>
2022	(\$71,661)	1.0
2023	(\$67,795)	1.0
2024	(\$67,795)	1.0
2025	(\$67,795)	1.0
2026	(\$67,795)	1.0

**Fiscal Analysis**

The bill would amend the Occupations Code to require the head of a law enforcement agency or the head's designee to include whether a license holder was suspected of misconduct, regardless of whether the license holder was terminated for misconduct on a report to the Texas Commission on Law Enforcement (TCOLE) regarding a licensee who separates from the law enforcement agency for any reason.

**Methodology**

TCOLE anticipates an increase in the number of appeals received, and would require 1.0 Legal Assistant II to

process the appeals and coordinate docketing with the State Office of Administrative Hearings (SOAH). The assistant would also process any changes based on rulings by the administrative law judge following the SOAH hearing.

The total cost for hiring 1.0 FTE is estimated to be \$71,661 in fiscal year 2022 and \$67,795 in each fiscal year thereafter. This cost estimate includes salary, benefits, rent, and other personnel and operating costs.

### **Local Government Impact**

According to constables in Collin, Hidalgo, and Travis County, no significant fiscal impact is anticipated to their offices. Taylor County does not anticipate a significant fiscal impact to the county.

**Source Agencies:** 407 Law Enforcement

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