

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 27, 2023

TO: Honorable Ryan Guillen, Chair, House Committee on Homeland Security & Public Safety

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB892 by Burrows (Relating to a law enforcement agency accreditation grant program.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB892, As Introduced : a negative impact of (\$274,545,716) through the biennium ending August 31, 2025. This analysis assumes all law enforcement agencies will pursue a grant, under the grant program established by the bill, and each will receive the maximum amount. However, the cost is dependent on the level of funding provided by the Legislature for this purpose.

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>
2024	(\$137,274,358)
2025	(\$137,271,358)
2026	(\$137,271,358)
2027	(\$137,271,358)
2028	(\$137,271,358)

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>
2024	(\$137,274,358)	2.0
2025	(\$137,271,358)	2.0
2026	(\$137,271,358)	2.0
2027	(\$137,271,358)	2.0
2028	(\$137,271,358)	2.0

Fiscal Analysis

The bill would establish the Law Enforcement Agency Accreditation Grant Program (Program) through the Office of the Governor's Criminal Justice Division (CJD), which would provide financial assistance to law enforcement agencies in order to obtain and maintain accreditation.

The bill specifically mentions three accreditation organizations that are eligible for grants: Texas Police Chiefs

Association (TPCA), the Commission on Accreditation for Law Enforcement Agencies (CALEA), and the International Association for Law Enforcement Agencies (IACLEA). These organizations require a "continuation" or "re-recognition" fee as well as additional on-site assessment costs such as "lodging, airfare, the number of assessors utilized, and other actors specifically related to the assessed agency and the geographical area in which it is located."

The bill would require CJD to submit an annual report before December 1st that details the name of each law enforcement agency that applied for a grant through the Program and the amount of money distributed to each law enforcement agency that received grant through the Program.

The bill would enable CJD to use any revenue available for the purposes of the Program.

The bill would direct CJD, with the assistance of the Texas Commission on Law Enforcement (TCOLE), to periodically review associations and organizations that establish standards of practice for law enforcement agencies and that offer accreditation to agencies that meet those standards.

The bill would require CJD to adopt rules that require each law enforcement agency eligible for the Program to become accredited through TPCA, CALEA, IACLEA, or any other accreditation agency that is recognized by CJD. Law enforcement agencies with less than 50 employees would be required to attain accreditation by September 1, 2026, and agencies with more than 50 employees by September 1, 2027.

The bill would require CJD to implement a program to eligible law enforcement agencies in attaining accreditation.

The bill would require an agency that receives a grant award under the Program to submit an annual report concerning the agency's accreditation status.

The bill would require TCOLE to post a list on their website of all law enforcement agencies that are currently accredited by an entity recognized by CJD.

Methodology

According to the TCOLE website, there are currently 2,729 active law enforcement agencies registered with TCOLE.

Accreditation programs for law enforcement agencies tend to vary in cost depending on the size of the agency. For example, CALEA charges \$8,475 for an agency size of 1-24 employees whereas it charges \$19,950 for an agency with 1,000+ employees. It is worth noting that the accreditation fee is not the only cost involved in a law enforcement agency seeking accreditation. For example, agencies might be charged separately for on-site costs of initial assessment. Costs might also vary depending on lodging, airfare, the number of assessors utilized, and other factors specifically related to agency assessment.

The bill does not limit specific costs that law enforcement agencies may seek under the grant program to only accreditation costs. Agencies are also able to seek grant funding for costs associated with employee time, policy development, officer training, indirect costs, and other costs related to the accreditation process.

It should be noted that the costs included as part of this fiscal note assume that all law enforcement agencies across Texas would both apply for funding through the program and would each receive the maximum individual grant amount of \$50,000. This assumes that all law enforcement agencies meet the eligibility requirements laid out in the provisions of the bill. It is estimated that the cost of the bill would be \$137.3 million per fiscal year, with a total estimated cost for the 2024-25 biennium of \$274.5 million. The cost of this program would be dependent on how much the Office of the Governor is appropriated for this program.

Personnel costs for one Grant Specialist III position and one Auditor II position are based upon salary ranges identified within Schedule B of the State of Texas Salary Schedule for the 2022-23 biennium. These costs amount to \$152,741 per year. Other expenses, such as supplies, travel, and benefits amount to \$68,527 per year. One-time costs for equipment amount to \$3,000 in fiscal year 2024.

According to the Texas Commission on Law Enforcement, no significant fiscal implications are anticipated from the provisions of the bill.

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.

Technology

The technology impact includes one-time costs of \$3,000 in fiscal year 2024. One-time costs include standard office equipment (computer, telecom/voicemail, etc.).

Local Government Impact

Local law enforcement agencies would be eligible to receive up to \$50,000 per year to obtain or maintain accreditation.

Source Agencies: 300 Trusteed Programs Within the Office of the Governor, 407 Commission on Law Enforcement, 696 Department of Criminal Justice

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