

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 18, 2023

TO: Honorable Victoria Neave Criado, Chair, House Committee on County Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1428 by Campos (Relating to providing prisoners serving a sentence in a county jail with certain documents on discharge.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1428, As Introduced : an impact of \$0 through the biennium ending August 31, 2025.

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>	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2024	\$0
2025	\$0
2026	\$0
2027	\$0
2028	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable (Cost) from Vital Statistics Account 19	Probable Revenue Gain from Vital Statistics Account 19	Change in Number of State Employees from FY 2023
2024	(\$220,217)	\$220,217	2.0
2025	(\$183,964)	\$183,964	2.0
2026	(\$183,964)	\$183,964	2.0
2027	(\$183,964)	\$183,964	2.0
2028	(\$183,964)	\$183,964	2.0

Fiscal Analysis

The Department of Public Safety (DPS) would provide a personal identification certificate when requested by a county sheriff if a prisoner of a county jail would not have a valid license or certificate at discharge. The request would be made as soon as is practicable to enable the prisoner to have the certificate at discharge.

A memorandum of understanding between the Commission on Jail Standards, DPS, and the vital statistics unit of the Department of State Health Services (DSHS) would establish responsibilities with respect to issuance of personal identification certificates issued to prisoners in county jails. DSHS would be required to electronically verify the birth record of a prisoner whose name and any other personal information is provided by a county sheriff seeking a personal identification certificate when a prisoner is discharged from the county jail. DSHS would be required to electronically report the recorded filing information to DPS to validate the identity of a prisoner.

The sheriff or commissioners court of the county would reimburse DPS or DSHS for actual costs incurred by the agencies in issuing prisoners with a personal identification certificates or electronic verification of birth records. The sheriff may not charge a fee to a prisoner for costs incurred.

The sheriff of a county would be required to submit to the appropriate entity on behalf of a prisoner in a county jail for issuance of a certified copy of the prisoner's birth certificate and social security card if it is determined the prisoner does not have either document. The request would be made as soon as it is practicable to enable the prisoner to have the documents at discharge.

Methodology

It is assumed that DSHS would require additional Customer Services Representative V positions (2.0 FTEs) to support and process increased demand for requests. DSHS assumes 13,000 additional birth certificate orders would be added to the annual workload. Total costs would include \$0.2 million in fiscal year 2024 and fiscal year 2025 for salaries, employee benefits, overhead costs, travel, basic consumable supplies, and information technology (IT) modifications. It is assumed that reimbursements from county officials would provide DSHS with additional revenue in General Revenue Dedicated - Vital Statistics Account No. 19 to offset costs incurred due to implementation of the bill.

It is assumed that any costs incurred by the Department of Public Safety and Commission on Jail Standards could be absorbed using existing resources.

Technology

It is assumed that IT costs at DSHS would be less than \$0.1 million in each fiscal year. DSHS would require less than \$0.1 million in fiscal year 2024 to modify the Texas Electronic Vital Events Registration (TxEVER) system to electronically report birth record information to DPS and to validate prisoner identities for the purposes of obtaining a personal identification certificate.

Local Government Impact

The fiscal implications of the bill cannot be determined at this time. Sheriffs and commissioners courts may incur a negative fiscal impact due to additional costs of providing documents to discharged prisoners.

Source Agencies: 405 Department of Public Safety, 409 Commission on Jail Standards, 537 State Health Services, Department of, 644 Juvenile Justice Department

LBB Staff: JMc, AF, ER, APA