

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 21, 2023

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1429 by Campos (Relating to the definitions of family violence and household member for purposes of crime victims' compensation.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1429, As Introduced : an impact of \$0 through the biennium ending August 31, 2025. The bill would have a cost for General Revenue-Dedicated Compensation to Victims of Crime Account 469 of (\$2,464,850) for the 2024-25 biennium.

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	\$0
2025	\$0
2026	\$0
2027	\$0
2028	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from Crime Victims Comp Acct 469</i>	<i>Change in Number of State Employees from FY 2023</i>
2024	(\$1,017,778)	2.0
2025	(\$1,447,072)	2.0
2026	(\$1,961,668)	2.0
2027	(\$2,490,345)	2.0
2028	(\$3,034,899)	2.0

Fiscal Analysis

The bill would amend the Texas Code of Criminal Procedure (TCCP) to expand the definition of "family violence" to include child abuse and dating violence.

The bill also amends the TCCP to remove the requirement of consanguinity and affinity in the definition of "household member."

The change in law that would be made by this bill applies only to compensation for criminally injurious conduct

occurring on or after the effective date of this bill. Compensation for criminally injurious conduct occurring before the effective date of this bill is governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose. For purposes of this section, criminally injurious conduct occurred before the effective date of this bill if any element of the offense underlying the conduct occurred before that date.

Methodology

The following fiscal note is based on the Crime Victims' Compensation (CVC) average of five fiscal years, 2018-2022. The anticipated fiscal impact also includes a 3% yearly increase in applications.

The bill would expand the definition of "family violence" to include abuse by a member of the family or household toward a child of the family or household and dating violence. The OAG anticipates that this change will result in a 5% increase in eligible claimant applications for rent and relocation expenses.

The average payment for rent and relocation in fiscal year 2022 was \$2,729.89.

	Average Payout per Application	# Of New Claims for Relocation	Projected Increase 1st Year
FY 2024	\$2,729.89	181	\$494,110.09

The bill would expand the definition of "household member" to include any individual residing in the same permanent household as the victim at the time of the criminally injurious conduct. This new population would include unrelated roommates or cohabitating partners.

The OAG anticipates that this new category of claimants would primarily request compensation for psychiatric care or counseling, loss of earnings, and travel expenses to attend certain appointments and proceedings. It is estimated that the number of eligible claimants will increase by 5% from the current number of valid claimants.

The tables below capture the projected increases in costs associated with each compensation category.

Psychiatric Care & Counseling

	Average Payout Per Application	# Of New Bills	Projected Increase 1st Year
FY 2024	\$2,341	88	\$206,008

There is also an additional cost to process the mental health bills through the Crime Victim Services Division (CVSD) cost containment vendor who applies the medical fee guidelines.

	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Count of New Medical Bills	88	55	57	59	60
Cost Per Medical Bill	\$9.40	\$9.40	\$9.40	\$9.40	\$9.40
Increase Vendor Costs	\$827.20	\$1,344.20	\$1,880.00	\$2,434.60	\$2,998.60

Loss of Earnings

	Average Payout Per Application	# Of New Bills	Projected Increase 1st Year
FY 2024	\$1,416.71	13	18,417.23

Bereavement Loss of Earnings

	Average Payout Per Application	# Of New Bills	Projected Increase 1 st Year
FY2024	\$982.38	12	11,788.56

Travel

	Average Payout Per Application	# Of New Bills	Projected Increase 1 st Year
FY2024	\$1,191	51	\$60,741

The OAG anticipates that 2.0 FTEs would be needed to address the increased workload from the bill. This includes one Administrative Assistant III and one Reimbursement Officer III. Additionally, the OAG anticipates one-time costs of \$50,000 for vendor hours to update the claims management system workflow used for crime victim applications. The total anticipated costs are itemized below.

	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Relocation	\$494,110.09	\$805,317.55	\$1,127,444.57	\$1,457,761.26	\$1,798,997.51
Mental Health Care	\$206,008.00	\$334,763.00	\$468,200.00	\$606,319.00	\$746,779.00
Loss of Earnings	\$18,417.23	\$29,750.91	\$41,084.59	\$52,418.27	\$65,168.66
Bereavement	\$11,788.56	\$19,647.60	\$27,506.64	\$35,365.68	\$43,224.72
Travel	\$60,741.00	\$98,853.00	\$138,156.00	\$178,650.00	\$220,335.00
CCV Costs	\$827.20	\$1,344.20	\$1,880.00	\$2,434.60	\$2,998.60
System Costs	\$50,000.00				
FTE Costs	\$175,886	\$157,396	\$157,396	\$157,396	\$157,396
Total Per year	\$1,017,778.08	\$1,447,072.26	\$1,961,667.80	\$2,490,344.81	\$3,034,899.49

Technology

The technology impact includes one-time costs of \$59,250 in fiscal year 2024 and a recurring cost in each fiscal year of \$7,236. One-time costs include system costs, standard laptop, software, printer, and telecom/voicemail. Annual recurring charges cover data center services and voice line.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General

LBB Staff: JMc, DDel, LCO, HGR, NV