

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 24, 2023

TO: Honorable James B. Frank, Chair, House Committee on Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4163 by Gervin-Hawkins (Relating to an external audit of investigations conducted by the Department of Family and Protective Services; authorizing a civil penalty.), **As Introduced**

Implementing the provisions of the bill utilizing existing resources would likely result in an equal reduction of appropriations in other functions at the agency. The fiscal implications of the bill cannot be determined due to unknown cost to implement the recommendations in the audit report.

The bill would require the Department of Family and Protective Services to pay costs associated with an audit using existing resources. The bill would also require DFPS to implement all audit recommendations within 90 days after receiving the audit report.

According to the agency, each audit would cost between \$150,000 to \$200,000. If the agency is unable to implement the recommendations then the agency would be required to conduct subsequent audits until the recommendations are implemented. The agency cannot determine how many audits would be conducted.

The component of the bill relating to implementing the recommendations of the auditor's report cannot be determined due to the unknown amounts of resources needed to implement the recommendations.

This analysis acknowledges that implementing the provisions of the bill within existing resources would reduced appropriations for existing function at the agency in an equal amount.

In addition, this analysis cannot determine where the \$500 civil penalty would be deposited or the mechanism in which the legislature or governor would issue the penalty.

This analysis assumes no fiscal impact to the Comptroller of Public Accountants and the Office of Court Administration.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 530 Family and Protective Services, Department of

LBB Staff: JMc, NPe, ER, AN, NV