

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 27, 2023

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB991 by Hinojosa (Relating to the establishment of a crime laboratory portal by the Department of Public Safety of the State of Texas.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB991, As Introduced : a negative impact of (\$3,222,281) 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> | <i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i> |
|--------------------|---|
| 2024 | (\$2,522,134) |
| 2025 | (\$700,147) |
| 2026 | (\$1,050,147) |
| 2027 | (\$1,050,147) |
| 2028 | (\$1,050,147) |

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 2023</i> |
|--------------------|--|---|
| 2024 | (\$2,522,134) | 7.0 |
| 2025 | (\$700,147) | 7.0 |
| 2026 | (\$1,050,147) | 7.0 |
| 2027 | (\$1,050,147) | 7.0 |
| 2028 | (\$1,050,147) | 7.0 |

Fiscal Analysis

The bill would require the Department of Public Safety (DPS) to establish and maintain a crime laboratory portal system to facilitate the process for requesting and publishing crime laboratory records and for transferring records among crime laboratories, attorneys representing the state and parties authorized to access the records, including defense counsel.

The bill would require participation by all crime laboratories.

The bill would take effect September 1, 2023.

Methodology

According to DPS, the Crime Laboratory Division (CLD) would require 7.0 FTE positions including 6.0 System Analysts and 1.0 Program Specialist to build requirements, solicit outside vendor bids for programming, and to coordinate with other forensic laboratories and stakeholders to establish and administer the portal. This analysis includes \$553,052 in General Revenue each fiscal year for salary and benefits.

Other costs including consumable supplies, utilities, and capital expenditures total \$1,969,082 in fiscal year 2024. This includes a onetime capital expenditure of \$1,750,000 to implement the portal and update the CLD's existing records management system. Other costs total \$147,095 in fiscal year 2025.

According to the Office of Court Administration, any costs to the agency associated with the bill could be absorbed using existing resources.

Technology

According to DPS, \$1,750,000 in onetime funding in fiscal year 2024 would be needed to implement the portal and make changes to the CLD's existing records management system to participate in the portal. This estimate is based on systems implemented of similar size and scope by other DPS divisions. Maintenance and support costs are estimated to be \$350,000 each fiscal year beginning in fiscal year 2026.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405 Department of Public Safety

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