

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 25, 2023

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB2009 by Sparks (Relating to access to certain information in the adoption process and information in certain investigations conducted by the Department of Family and Protective Services.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB2009, As Introduced : a negative impact of (\$3,083,065) 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	(\$1,574,337)
2025	(\$1,508,728)
2026	(\$1,514,498)
2027	(\$1,520,431)
2028	(\$1,526,546)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable (Cost) from General Revenue Fund 1</i>	<i>Probable (Cost) from GR Match For Medicaid 758</i>	<i>Probable (Cost) from Federal Funds 555</i>	<i>Change in Number of State Employees from FY 2023</i>
2024	(\$1,557,037)	(\$17,300)	(\$155,704)	20.0
2025	(\$1,492,149)	(\$16,579)	(\$149,215)	20.0
2026	(\$1,497,855)	(\$16,643)	(\$149,785)	20.0
2027	(\$1,503,723)	(\$16,708)	(\$150,372)	20.0
2028	(\$1,509,771)	(\$16,775)	(\$150,977)	20.0

Fiscal Analysis

The bill would require the Department of Family and Protective Services (DFPS) to produce all requested information related to any investigation conducted by the department no later than 90 days after a request.

Methodology

According to DFPS, the agency's records management group currently processes requests for investigation records under general requests. DFPS received 13,968 requests in fiscal year 2024 and the current wait time

for general requests is 24 months.

To meet the 90 day timeframe, this analysis assumes the need of 4.0 Records Analyst I Fulltime Equivalent (FTEs), 14.0 Records Analyst II FTEs, and 1.0 Records Analyst III FTE to complete the intake, research, gathering of information and redaction of case records. In addition, 1.0 Program Specialist IV FTE is assumed to supervisor the additional FTEs.

According to DFPS, the agency is uncertain if the information request for investigations would include open investigations. The agency has indicated that the release of an open investigative file would contradict record rules established in the Texas Administrative Code sections 700.205(c) and 705.1911. Pursuant to these sections, the agency is not permitted to release case records until the investigation is completed.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family and Protective Services, Department of

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