

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**May 6, 2025**

**TO:** Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3758** by Schatzline (relating to admissibility and disclosure of certain evidence in a civil suit concerning a child alleged to have been abused or neglected or to be at risk of abuse or neglect filed by a governmental entity.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB3758, Committee Report 1st House, Substituted: a negative impact of (\$1,125,793) through the biennium ending August 31, 2027.

**General Revenue-Related Funds, Five- Year Impact:**

<i>Fiscal Year</i>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2026	(\$589,377)
2027	(\$536,416)
2028	(\$537,654)
2029	(\$538,683)
2030	(\$539,735)

**All Funds, Five-Year Impact:**

<i>Fiscal Year</i>	<b>Probable Savings/(Cost) from General Revenue Fund 1</b>	<b>Probable Savings/(Cost) from GR Match For Medicaid 758</b>	<b>Probable Savings/(Cost) from Federal Funds 555</b>	<i>Change in Number of State Employees from FY 2025</i>
2026	(\$584,097)	(\$5,280)	(\$39,339)	6.0
2027	(\$531,611)	(\$4,805)	(\$35,804)	6.0
2028	(\$532,838)	(\$4,816)	(\$35,886)	6.0
2029	(\$533,858)	(\$4,825)	(\$35,955)	6.0
2030	(\$534,900)	(\$4,835)	(\$36,025)	6.0

**Fiscal Analysis**

The bill would make statements by individuals undergoing voluntary or court-ordered treatment for substance use disorders or therapeutic treatment for a mental illness, or evaluation for those treatments that are court-ordered or required under a service plan, not admissible in any civil proceeding for use against the individual if the statement was made to any person involved in the individual's treatment or evaluation.

The bill would also require a governmental entity to provide certain information and reports to all parties no later than the fifth day before the date of the full adversary hearing or the initial hearing.

## **Methodology**

According to the Department of Family and Protective Services (DFPS), the agency would need to redact the statements in all case record productions and produce the redacted files no later than five days prior to the adversary or initial hearing. DFPS stated that in fiscal year 2024, there were 9,220 removals and each would have an investigative file with information that would need to be provided to each party. The agency assumes it would take approximately 8,823 hours annually to complete the required reaction process which is based on current work done on school investigation record requests. The agency assumes there are 1,560 available work hours per year; therefore, to complete the process, 6.0 Full-time Equivalent (FTEs) would be needed. The agency assumes the need for 2.0 Records Analyst I and 4.0 Records Analyst II FTEs in each fiscal year to meet the timeframes of redacting and releasing the investigative file for every removal case prior to the hearings.

It is assumed that any costs to the Office of Court Administration could be absorbed within existing resources.

## **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 530 Family and Protective Services, Department of

**LBB Staff:** JMc, KDw, ER, AN, NV