

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 28, 2025

TO: Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1660 by Huffman (Relating to the retention and preservation of toxicological evidence of certain intoxication offenses.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1660, As Introduced: a negative impact of (\$2,812,444) through the biennium ending August 31, 2027.

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>	Probable Net Positive/(Negative) Impact to <i>General Revenue Related Funds</i>
2026	(\$1,561,288)
2027	(\$1,251,156)
2028	(\$1,251,156)
2029	(\$1,251,156)
2030	(\$1,251,156)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	<i>Change in Number of State Employees from FY 2025</i>
2026	(\$1,561,288)	8.0
2027	(\$1,251,156)	8.0
2028	(\$1,251,156)	8.0
2029	(\$1,251,156)	8.0
2030	(\$1,251,156)	8.0

Fiscal Analysis

The bill would direct crime laboratories in possession of toxicological evidence to annually notify prosecutor's offices in the county in which the offense occurred and provide the prosecutor's offices with the date on which the retention period for the evidence expires. The bill would also add certain rules related to the destruction of stored evidence.

Methodology

The annual notification requirement will require crime laboratories to liaise with local prosecutor's offices to

obtain adjudication disposition status of offenses with toxicology evidence to determine the retention period as outlined in the provisions of the bill. According to the Department of Public Safety (DPS), crime laboratories do not have access to case disposition and dispositions are not entered into any DPS-hosted crime statistics software. Therefore, this analysis assumes that DPS would need 8 full-time equivalent positions including 6.0 Program Specialist IV, 1.0 Program Supervisor VI, and 1.0 Program Specialist V to work with prosecutor's offices to obtain adjudication disposition status for cases with toxicological evidence and determine retention periods.

According to the Office of Court Administration, no significant fiscal impact to the state court system is anticipated.

Local Government Impact

There may be costs for local crime laboratories to obtain disposition information from local prosecutor's offices; however, the fiscal implications of the bill to units of local government cannot be determined at this time.

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

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