

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 7, 2013**

**TO:** Honorable Tan Parker, Chair, House Committee on Corrections

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB1234 by Whitmire (Relating to the prevention of truancy and the offense of failure to attend school.), **As Engrossed**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend Chapter 45, Code of Criminal Procedure, to require a school district, court, or juvenile probation department to employ or jointly employ with another appropriate governmental entity a case manager to provide case services for juveniles appearing before a court or for a student before the student is referred to a court for the offense of failure to attend school. School districts that employ an attendance officer would not be required to employ a case manager for these purposes. The bill would amend Chapter 25 of the Education Code to require school districts to adopt additional truancy prevention measures. The Class C misdemeanor offense for failure to attend school would be limited to a fine not to exceed \$100. The bill would repeal Sections 25.085(e) and (f) of the Education Code regarding compulsory school attendance for persons aged 18 to 21.

The Comptroller of Public Accounts does not anticipate a significant fiscal impact on the state. According to the Office of Court Administration the bill is not anticipated to have a significant fiscal impact on the courts. No significant impact to criminal justice populations is anticipated.

**Local Government Impact**

Local governments would be required to employ a case manager to provide case services for juveniles. Ward County estimates costs of \$70,000 per year in salary and benefits to comply with this provision. Midland County reported that this cost would be partially offset in that county by a \$5 court cost fee for juvenile case managers.

The bill would cap truancy fines at \$100. Burlison, Burnet, Dallas, and Midland Counties reported that this provision would not have a significant fiscal impact.

There could be a negative impact of indeterminate degree to local juvenile probation departments related to increased supervision populations.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 304  
Comptroller of Public Accounts, 644 Texas Juvenile Justice Department

**LBB Staff:** UP, ESi, KKR, AH, JJO, JPo