

## LEGISLATIVE BUDGET BOARD

Austin, Texas

### FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 18, 2015

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

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

**IN RE:** SB158 by West (relating to a body worn camera program for certain law enforcement agencies in this state; creating a criminal offense; authorizing a fee.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Occupations Code to codify an existing grant program at the Office of the Governor for the purchase of body worn cameras for law enforcement agencies. Agencies who receive the grants would be required to provide a 25 percent match, with the exception of the Department of Public Safety.

The Office of the Governor reports receipt of \$13.8 million in Justice Assistance Grant (JAG) federal funding in the current biennium for a variety of grant programs. Assuming a similar level of federal funding is received in 2016-17, the Governor's Office reports it could provide \$2.0 million in JAG funding for these grants. The Governor's Office also reports that in fiscal year 2015, \$1.5 million in grants was requested for the 2016-17 biennium from various law enforcement entities for this purpose and \$0.1 million in grants has been awarded in fiscal year 2015. The analysis assumes that implementing the provisions of the bill could be accomplished within existing resources. However, to the extent that requests for grant awards from local and state entities increase from current demand and which state appropriations are made available for this purpose, there would be a cost to the State.

#### **Local Government Impact**

There may be costs relating to equipment, data storage, training, and open records requests to a local law enforcement agency; however, the fiscal impact would vary depending on the agency's resources and grant funding available.

The bill would also create a Class A misdemeanor. A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution, and confinement could likely be absorbed with existing resources. Revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

The Texas Association of Counties anticipates a significant impact to counties due to ancillary costs not covered under the grant. Officers would have to properly tag, store, review, and edit the videos for court presentations, expunction orders, and release under the Public Information Act.

Thus, departments may incur significant training or hiring costs. There may also be cost to local courts and attorneys as each video would need to be reviewed and courts would require the technical ability to review and play video.

**Source Agencies:** 301 Office of the Governor, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 313 Department of Information Resources, 405 Department of Public Safety, 407 Commission on Law Enforcement

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