

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 26, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB42 by Zaffirini (Relating to the security of courts and judges in the state.), As Introduced

Estimated Two-year Net Impact to General Revenue Related Funds for SB42, As Introduced: a negative impact of (\$242,196) through the biennium ending August 31, 2019.
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General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2018	(\$121,801)
2019	(\$120,395)
2020	(\$120,695)
2021	(\$120,764)
2022	(\$122,541)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2017
2018	(\$121,801)	1.0
2019	(\$120,395)	1.0
2020	(\$120,695)	1.0
2021	(\$120,764)	1.0
2022	(\$122,541)	1.0

Fiscal Analysis

The bill would make changes to several codes relating to the security of courts and judges. The bill would amend the Government Code to require a sheriff or other law enforcement agency or entity to submit written security incident reports to the Office of Court Administration and would require the local administrative judge, presiding judge in a municipal court of record, and municipal judge in municipal courts not of record to establish a court security committee.

The bill would amend the Government Code to require the Office of Court Administration to

establish a Judicial Security Division that would serve as a central resource for information on court security and the safety of court personnel, and requires the agency to appoint a director to oversee the division.

The bill would amend the Government Code to define a "court security officer" and to provide for the certification an officer must have within a year to hold that position and requires verification of such certification by the local law enforcement authority with authority for providing court security. The bill would amend the Occupations Code to require the Texas Commission on Law Enforcement to consult the Office of Court Administration to develop a model court security training curriculum and to issue a certificate to each court security officer that completes the training. The bill would amend the Government Code to require the Department of Public Safety, as it deems appropriate, to provide personal security to a state judge that has been threatened or attacked.

The bill would take effect on September 1, 2017.

Methodology

According to the Office of Court Administration, the establishment of a Judicial Security Division would require one Director-level position (\$80,000 per year with benefits of \$28,096, or \$108,096 for the 2018-19 biennium) with associated consumables, utilities, travel, and information technology resources. Associated costs in addition to the salaries and benefit costs include \$13,075 in fiscal year 2018, \$12,299 in fiscal year 2019, \$14,004 in fiscal year 2020, \$14,073 in fiscal year 2021, and \$17,325 in 2022.

According to the Texas Commission on Law Enforcement and the Department of Public Safety, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. This estimate assumes that any costs associated with implementing the bill for the Texas Ethics Commission could be absorbed within existing resources.

Local Government Impact

According to the Office of Court Administration, local governments may incur costs associated with making security-related improvements to courthouses and security protocols. Entities employing individuals needing court security officer certification may incur costs associated with sending officers to training. County clerks and registrars may incur costs associated with the omission or redaction of personal information from public records. The extent of these potential costs is unknown and may vary among jurisdictions.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 356 Texas Ethics Commission, 405 Department of Public Safety, 407 Commission on Law Enforcement

LBB Staff: UP, AG, MW, GDz, GGo