

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 26, 2007

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

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB103 by Hinojosa (Relating to the operations of the Texas Youth Commission.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB103, As Introduced: a negative impact of (\$63,959,301) through the biennium ending August 31, 2009.

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:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$30,878,963)
2009	(\$33,080,338)
2010	(\$33,181,018)
2011	(\$33,281,698)
2012	(\$33,382,378)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from <i>GENERAL REVENUE FUND</i> 1	Change in Number of State Employees from FY 2007
2008	(\$30,878,963)	865.0
2009	(\$33,080,338)	865.0
2010	(\$33,181,018)	865.0
2011	(\$33,281,698)	865.0
2012	(\$33,382,378)	865.0

Fiscal Analysis

The bill would amend Article 2.12. of the Code of Criminal procedure adding inspectors general of the Texas Youth Commission (TYC) as peace officers. The bill would require the state to reimburse counties for certain prosecution related expenses (travel, food and lodging for expert witnesses and jurors, payment to expert witnesses, interpreters, etc.) to include felony offenses committed in TYC facilities. The training requirement for guards (Juvenile Correctional Officers) in TYC would be raised to 300 hours prior to the guard commencing duties at the assigned facility and would require TYC to maintain a staffing ratio of one guard to twelve youth. The bill would establish the Office of Inspector General within TYC and provide the agency the authority to hire commissioned peace officers as inspectors general. This office would investigate offenses occurring within TYC facilities (staff and youth offenses) and report findings to the TYC Board. The bill would restrict TYC from housing youth younger than 15 years of age in the same dormitory as a person who

is 17 years of age or older. The bill would also mandate that the Texas Rangers make unannounced visits at least once per month to a TYC facility to conduct observations and inspections, and submit the details of their visits to the Texas Sunset Commission for inclusion in TYC's sunset review.

The bill would take effect September 1, 2007.

Methodology

TYC reports it will need 865.0 FTEs in each year of the biennium to implement the provisions of the bill at a cost of \$48,701,720 in salaries for the biennium and \$25,575,700 each year thereafter. Additional costs (travel, equipment, benefits, and operating expenses) total \$15,257,581 for the 2008-09 biennium and average \$7,756,088 each year thereafter. TYC based its estimates on the assumption that the bill requires at least one staff present for every twelve youth at all times.

These costs include \$4,715,409 in fiscal year 2008 and \$4,916,541 in fiscal year 2009 for a biennial total of \$9,631,950 in General Revenue funds for additional Juvenile Correctional Officer training. Increasing staff to youth ratios to 1:12 is estimated to cost \$25,898,289 in fiscal year 2008 and \$27,902,852 in fiscal year 2009, for a biennial total of \$53,801,141 in General Revenue funds. Establishing the Office of Inspector General and additional staff would cause an estimated General Revenue increase of \$265,265 in fiscal year 2008 and \$260,945 in fiscal year 2009 for a biennial total of \$562,210. The total estimated expenditure for the 2008-09 biennium is \$63,959,301.

The Department of Public Safety reports no significant fiscal impact for provisions requiring the Texas Rangers to visit TYC facilities to conduct observations and inspections.

Technology

TYC reports a technology impact of \$863,332 in fiscal year 2008 and \$8,532 in fiscal year 2009, with \$8,532 continuing in the out years. This impact consists of additional workstations and infrastructure for 79 FTEs and 200 radios.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 694 Youth Commission

LBB Staff: JOB, ES, VDS, GG, AI