

Bills of Interest Index

(click on bill number to go straight to bill analysis)

Bill	Summary
<u>HB 178</u>	Relating to the issuance and renewal of certain licenses for junkyards and automotive wrecking and salvage yards
<u>HB 425</u>	Relating to the instructional requirements for education services provided in a juvenile residential facility operated by a juvenile board or under contract with the Texas Youth Commission
<u>HB 438</u>	Relating to the limitation on the maximum percentage increase in the appraised value of a residence homestead for ad valorem taxation
<u>HB 518</u>	Relating to the detention and examination of certain persons for whom an application for emergency detention or a motion for an order of protective custody has been filed.
<u>HB 530</u>	Relating to the operation and funding of drug court programs
<u>HB 621</u>	Relating to the exemption from ad valorem taxation of tangible personal property held temporarily at a location in this state for assembling, storing, manufacturing, processing, or fabricating purposes
<u>HB 681</u>	Relating to postconviction forensic testing.
<u>HB 1260</u>	Relating to exempting certain military personnel from certain state and local governmental fees
<u>HB 1267</u>	Relating to appointment procedures concerning and compensation and reimbursement for counsel appointed to represent indigent defendants in certain criminal and post-conviction proceedings and to the creation of an indigent defense representation fund
<u>HB 1295</u>	Relating to filing fees for certain actions filed in a court with probate jurisdiction.
<u>HB 1303</u>	Relating to certain requirements applicable to orders of expunction or nondisclosure of criminal history records and to the protection of information that is the subject of one of those orders; providing penalties
<u>HB 1446</u>	Relating to the period for preserving precinct election records
<u>HB 1497</u>	Relating to the consequences of the failure by a person requesting information under the public information law to timely respond to certain written communications from a governmental body
<u>HB 1587</u>	Relating to participation and credit in, contributions to, and benefits and administration of the Texas County and District Retirement System
<u>HB 1610</u>	Relating to the requirement that a judge release on community supervision certain defendants convicted of certain state jail felonies.

Bills of Interest Index

(click on bill number to go straight to bill analysis)

Bill	Summary
<u>HB 1623</u>	Relating to certain offenses, fees, and penalties imposed for operating a motor vehicle or vessel in violation of law and to the use of the money collected.
<u>HB 1678</u>	Relating to the operation of a system of community supervision.
<u>HB 1886</u>	Relating to the procurement methods of certain political subdivisions and certain other entities for the construction, rehabilitation, alteration, or repair of certain projects.
<u>HB 1887</u>	Relating to the punishment for and prevention of the offense of burglary of vehicles
<u>HB 1910</u>	Relating to the seizure of personal property for the payment of ad valorem taxes
<u>HB 1960</u>	Relating to access to records or files concerning a child who is subject to the juvenile justice system.
<u>HB 2061</u>	Relating to the acquisition or disclosure of the social security number of a living person by a governmental body, including by a district or county clerk
<u>HB 2359</u>	Relating to the collection of certain filing fees by statutory probate courts for deposit in the judicial fund, the use of those deposits, and the remittance of the excess of those deposits.
<u>HB 2365</u>	Relating to financial accounting and reporting for this state and political subdivisions of this state.
<u>HB 2391</u>	Relating to the appearance of certain misdemeanor offenders before a magistrate.
<u>HB 2439</u>	Relating to the functions of local mental health and mental retardation authorities.
<u>HB 2462</u>	Relating to providing for the sale of certain gambling equipment seized by a law enforcement agency
<u>HB 2524</u>	Relating to the establishment of a pilot project to construct a public safety triage and detoxification unit and the provision of mental health and substance abuse treatment
<u>HB 2564</u>	Relating to the authority of a governmental body to require the payment of a charge before complying with certain requests for the production of public information or for copies of public information
<u>HB 2625</u>	Relating to the determination of prevailing wage rates in Texas counties

Bills of Interest Index

(click on bill number to go straight to bill analysis)

Bill	Summary
<u>HB 2653</u>	Relating to emergency services districts
<u>HB 2685</u>	Relating to certain requirements for issuance of a marriage license, including an optional premarital education course.
<u>HB 2884</u>	Relating to juvenile delinquency; providing penalties.
<u>HB 2926</u>	Relating to using county election precincts in every county for any election held on the November uniform election date
<u>HB 2967</u>	Relating to a performance bond required of a statutory probate court judge.
<u>HB 3011</u>	Relating to the creation of ship channel security districts by certain populous counties
<u>HB 3195</u>	Relating to the requirements of a municipal or county budget that raises more property taxes than in the previous year's budget
<u>HB 3270</u>	Relating to authorizing the issuance of anticipation notes or other obligations by issuers located along the Gulf Coast in the event of an emergency.
<u>HB 3439</u>	Relating to county fiscal matters
<u>HB 3495</u>	Relating to the contents of the notice of the meeting at which the governing body of a taxing unit will vote on a proposed ad valorem tax rate that will result in a tax revenue increase
<u>HB 3672</u>	Relating to mobile food units in certain populous counties; providing a penalty.
<u>HB 3732</u>	Relating to the implementation of advanced clean energy projects and other environmentally protective projects in this state
<u>HJR 40</u>	Proposing a constitutional amendment authorizing the legislature to provide that the maximum appraised value of a residence homestead for ad valorem taxation is limited to the lesser of the most recent market value of the residence homestead as determined
<u>SB 11</u>	Relating to homeland security and protection of the public, including protections against human trafficking; providing penalties
<u>SB 61</u>	Relating to the performance of the functions of the governing body of a political subdivision in the event of a disaster

Bills of Interest Index

(click on bill number to go straight to bill analysis)

Bill	Summary
<u>SB 237</u>	Relating to the supreme court's adoption of rules on the electronic filing of documents in civil cases in justice of the peace courts.
<u>SB 254</u>	Relating to the sale of live animals in certain counties on a public highway or road, the right-of-way of a public highway or road, or a parking lot
<u>SB 288</u>	Relating to the reporting of health care-associated infections at certain health care facilities and the creation of an advisory panel.
<u>SB 426</u>	Relating to qualification for an ad valorem tax exemption for property used to provide low-income or moderate-income housing in the event of a change in ownership of the property as a result of a foreclosure sale
<u>SB 560</u>	Relating to reimbursement for and counseling related to jury service.
<u>SB 600</u>	Relating to compensation paid to statutory county court judges and certain court-related fees.
<u>SB 618</u>	Relating to the jurisdiction of and representation in the county, justice, and small claims courts in civil matters.
<u>SB 680</u>	Relating to certain swimming pools as public nuisances in the unincorporated areas of counties
<u>SB 792</u>	Relating to the authority of certain counties and other entities with respect to certain transportation projects and to comprehensive development agreements with regard to such projects; authorizing the issuance of bonds; providing penalties
<u>SB 821</u>	Relating to the use of certain excess contributions to the judicial fund that are remitted to certain counties.
<u>SB 867</u>	Relating to procedures regarding criminal defendants who are or may be persons with mental illness or mental retardation.
<u>SB 909</u>	Relating to the continuation and functions of the Texas Board of Criminal Justice, the Texas Department of Criminal Justice, and the Correctional Managed Health Care Committee, and to the functions of the Board of Pardons and Paroles.
<u>SB 1119</u>	Relating to the authority of a local authority to implement a photographic traffic signal enforcement system; providing for the imposition of civil penalties.
<u>SB 1269</u>	Relating to the performance of certain civil duties by officers in this state
<u>SB 1306</u>	Relating to the attendance by a quorum of a governmental body at certain events under the open meetings law

Bills of Interest Index
(click on bill number to go straight to bill analysis)

Bill	Summary
<u>SB 1404</u>	Relating to criminal law hearing officers in certain counties.
<u>SB 1405</u>	Relating to the requirement that the chief appraiser of an appraisal district provide an estimate of taxable value and related assistance to certain taxing units
<u>SB 1412</u>	Relating to certain fees collected by justice courts and small claims courts.
<u>SB 1413</u>	Relating to the amount of a judgment that may be appealed or removed from justice court.
<u>SB 1416</u>	Relating to the amount of a judgment that may be appealed from small claims court.
<u>SB 1499</u>	Relating to the meeting notice that a governmental body may post in certain emergency situations
<u>SB 1951</u>	Relating to the creation, operation, and officers of certain courts and juvenile boards.
<u>SJR 13</u>	Proposing a constitutional amendment authorizing the legislature to provide for a reduction of the limitation on the total amount of ad valorem taxes that may be imposed for public school purposes on the residence homesteads of the elderly or disabled to reflect any reduction in the rate of those taxes for the 2006 and 2007 tax years



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 178	Author:	Bailey
Effective Date:	9/1/2007	Sponsor:	Gallegos
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Funded

Caption

Relating to the issuance and renewal of certain licenses for junkyards and automotive wrecking and salvage yards

Bill Category

Fees/Other/Mandatory/Amount Change
 Procedure Change - Mandated

Code and Section

Transportation Code 396.041

The bill permits the Harris County Commissioners Court to adopt an ordinance to collect a \$500 fee for the issuance or renewal of a license for operating a junkyard or automotive wrecking and salvage yard.

Department(s) Operations Impact:

PHES-Environmental

Impact on Department Operations:

PHES estimates that there are as many as 300 salvage yards in the unincorporated areas of Harris County that will need to be licensed under the auto salvage licensing program and inspected for compliance with applicable laws. This will require 2 Field Investigators to conduct inspections, issue licenses, and collect fees. The department also will need 1 Compliance Services Coordinator to issue violations, prepare for JP hearings, and conduct license revocation hearings. Finally, 1 Support Services employee will be required to assist and administer the salvage yard program. The total annual cost of these 4 new positions is \$205,000.

Note that these cost figures do not include any costs associated with the possibility that a Sheriff's deputy may be needed to accompany the PHES inspectors at times due to safety concerns.

The amount of new revenue that will be generated by the \$500 license fees is somewhat difficult to predict, given the uncertainty over the number of salvage yards in unincorporated Harris County and their compliance with the program. If all 300 yards pay the \$500 fee, the department would collect new revenue of \$150,000. This would partially defray the cost of the licensing program.

Department(s) Fiscal Impact:

PHES-Environmental

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$102,000	\$205,000
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	4	Capital Expense	\$0
		Net Cost:	\$205,000
		Inc/(Dec) Revenue	\$75,000
		Net Fiscal Impact	(\$55,000)

Fiscal Notes, Remainder of Harris County FY2008:

The bill becomes effective halfway through the fiscal year.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	4	Total Fiscal Impact	(\$27,000)	(\$55,000)
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STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 178	Author:	Bailey
Effective Date:	9/1/2007	Sponsor:	Gallegos
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Funded

Bill Experts

Elizabeth Love	713-439-6041	Email, Report, other	Public Health & Environmental Services
Raymond Anderson	(713) 956-3020	Discussion	PID Engineering Department

Other Notes:

There is some uncertainty about whether PHES has the legal authority to enforce the license fee. The department is working with the County Attorney's Office to clarify this issue as well as other related issues. Also, this analysis assumes licenses would need to be renewed annually, but the bill does not specify a license renewal frequency.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 425	Author:	Madden
Effective Date:	9/1/2007	Sponsor:	Hinojosa
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Unfunded

Caption

Relating to the instructional requirements for education services provided in a juvenile residential facility operated by a juvenile board or under contract with the Texas Youth Commission.

Bill Category

Other

Code and Section

Education Code **37.0062**

This bill adds a section that requires the Commissioner of Education to determine instructional requirements provided by a school district or open enrollment charter school in a pre-adjudication secure detention facility or a post-adjudication facility operated by a juvenile board or TYC. The requirements would cover length of the school day, number of days of instruction, and curriculum.

The bill states that curriculum in pre-adjudication facilities must allow a student to maintain progress towards a high school diploma and that a post-adjudication curriculum must include courses required to complete high school graduation requirements.

Department(s) Operations Impact:

Juvenile Probation Department

Impact on Department Operations:

The Commissioner of Education has not yet established the rules and instructional requirements as required by this bill. As written, however, the bill could have major impacts on the curriculum and course delivery for the Juvenile Probation department. Until rules are established and programs redone, it is impossible to tell whether the changes can be completed within the current funding.

Department(s) Fiscal Impact:

Juvenile Probation Department

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

The Commissioner of Education has not yet established the rules and instructional requirements as required by this bill. As written, however, the bill could have major impacts on the curriculum and course delivery for the Juvenile Probation department. Until rules are established and programs redone, it is impossible to tell whether the changes can be completed within the current funding.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 425	Author:	Madden
Effective Date:	9/1/2007	Sponsor:	Hinojosa
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Unfunded

Margaret Rhode (713) 222-4341 Email, Report, other JJAEP

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 518	Author:	Naishtat
Effective Date:	9/1/2007	Sponsor:	Brimer
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Unfunded

Caption

Relating to the detention and examination of certain persons for whom an application for emergency detention or a motion for an order of protective custody has been filed.

Bill Category

Criminal Mental Health Stabilization
 Health and Safety

This bill will have no fiscal impact on Harris County.

Code and Section

Health & Safety Code 573.021(b) and (c), 574.021(d),62.154(a) and (d),

Current statute authorizes a peace officer to detain a person without a warrant if the circumstances leads the officer to conclude that there is reasonable cause to believe that the person is mentally ill and that the mental illness causes a substantial risk of imminent serious harm to the mentally ill person or others. This detention can last no longer than 24 hours, excluding nights and weekends and any time the person spends receiving medical care in the emergency room, unless a probate court has issued an order of protective custody. As a result, examining physicians are under a limited amount of time to examine and observe a person and determine whether protective custody is necessary.

H.B. 518 extends the maximum authorized time to detain a person presumed to be mentally ill to 48 hours.

Department(s) Operations Impact:

MHMRA

Impact on Department Operations:

First thoughts are that being able to hold someone longer will only impact the ER part of our programs, since we do not accept involuntary consumers into any of our other programs. We may need to change the organization of the room(s), but in general we still want to try to resolve the crisis or move the consumer to other more appropriate services within 24 hours. If indeed we do start holding more consumers longer, it will have an impact on how many we can serve, since there is only so much physical space in our facility (fire/safety rules) and only so many consumers that my staff can serve at any given time.

It might actually cut down on some of our staff's court paperwork since we end up filing with the court on consumers in order to meet the 24 hour limit, and then have to file more paperwork to rescind the request because the consumer starts to clear and can be served on a voluntary basis. Giving us a longer time to determine if the consumer needs to continue with involuntary placement might be helpful at times.

Other Notes:

It is not possible to estimate the fiscal impact of such a policy change due to the variability in treatment outcomes expected for consumers who are involuntarily committed. There may be a slight reduction in the number of consumers served, but the facility and staff would be continue to be fully utilized.

This bill requires the Department of State Health Services (DSHS) to conduct a study of the effects the change in law made by this Act has on reducing the overall number of admissions to state mental health facilities, and the number of admissions of persons to state mental health facilities for periods of less than 96 hours. DSHS must provide the report on the study's conclusions not later than December 31, 2008.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 530	Author:	Madden Rodriguez
Effective Date:	Effective Immediately	Sponsor:	Seliger
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Underfunded

Caption

Relating to the operation and funding of drug court programs

Bill Category

Criminal Justice Policy
 Criminal Justice Policy - Juvenile
 Fines and Fees - Specific Use

Code and Section

Health & Safety Code Chapter 469, various sections

The bill makes various modifications to the Drug Court program, including allowing the magistrate to issue an order of non-disclosure under specific circumstances; expanding the mandate for establishing drug courts to all counties of 200,000 population or greater who also receive federal or state aide for such a program; expanding the different types of cases that can be heard in drug courts including juvenile and family-related cases; and requiring the collection of a \$50 conviction fee from all misdemeanor B or higher cases of Intoxication and Controlled Substance convictions.

This bill also mandates that the County either establish a court to handle repeat DWI offenders or ensure that those persons participate in the existing drug court.

Government Code Subchapter GG added

Adds a subchapter titled Magistrates for Drug Court Programs wherein is specified the means by which such magistrates are appointed, required qualifications, the amount of compensation, and the duties and authorities of this office.

Department(s) Operations Impact:

District Courts

Impact on Department Operations:

Although it is not known how many eligible offenders will elect to participate in the DWI drug court programs, the volume is expected to be sufficient to require the addition of a new DWI court which would handle felony offenders and potentially misdemeanor DWI's as well. The bill allows a county to create a juvenile drug court which is not anticipated at this time but is likely to be considered in future years.

The potential drug court population greatly exceeds current drug court capabilities. One potential way to expand drug court capacity would be to appoint a magistrate to hear drug court cases as provided for in this bill. This would require the approval of the judges and commissioners court.

District Attorney's Office

Impact on Department Operations:

The District Attorney's Office will be required to refer specific types of cases to the appropriate problem-solving court, depending on the types of such courts established by order of the Commissioners Court.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 530	Author:	Madden Rodriguez
Effective Date:	Effective Immediately	Sponsor:	Seliger
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Underfunded

District Clerk's Office

Impact on Department Operations:

District Clerk will be responsible for collecting and accounting for the \$50 conviction fees from the various problem-solving courts.

Department(s) Fiscal Impact:

District Courts		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$970,000
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0 (\$970,000)

Fiscal Notes, Remainder of Harris County FY2008:

Additional \$50 court fee for Class B and higher intoxication and controlled substance convictions, of which the County retains 60% and the remainder is sent to the comptroller & placed in a fund for drug-court related grants. Debbie Smith of the Auditor's Office is currently trying to calculate the estimated revenue that will be generated from this new fee.

Although not currently planned, appointing a magistrate(s) to hear drug court cases is one new option to expand the scope of these programs. This bill states that the salary of the magistrate would be determined by commissioner's court.

Fiscal Notes, FY2009 and Beyond:

It is expected that an additional DWI court will need to be created to handle repeat DWI offenders. Based on 2006 statistics, there were 2,260 repeat DWI offenders who would be eligible for this program. The actual number of participants (currently unknown) will determine whether this needs to be a part or full-time court. Costs above assume the addition of one new, full-time court. This court will need to be established by 9/1/08.

The county cost is estimated to be \$1.88 million annually to operate a DWI-based drug court (estimate based on the current county cost to run the drug court. For 1/2 of the fiscal year plus one year of inflation, the cost is estimated to be \$970,000.

Total Change in FTE's:	0	Total Fiscal Impact	\$0 (\$970,000)
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Bill Experts

Mary Covington (713) 755-4610 Discussion District Courts

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	HB 621	Author:	Chavez
Effective Date:	1/1/2008	Sponsor:	Duncan
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Does not apply

Commissioners Court

Impact on Department Operations:

Commissioners Court will be required to hold a public hearing on the matter of exempting goods in transit from taxation, and must notify the Harris County Chief Tax Appraiser before January 1, 2008 if the decision is to continue to tax goods in transit according to prior law.

Department(s) Fiscal Impact:

Assessor & Collector of Taxes

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0 \$0
		Inc/(Dec) Operating Cost	\$0 \$0
Change to FTEs:	0	Capital Expense	\$0 \$0
		Net Cost:	\$0 \$0
		Inc/(Dec) Revenue	\$0 (\$20,500,000)
		Net Fiscal Impact	\$0 (\$20,500,000)

Fiscal Notes, Remainder of Harris County FY2008:

Indeterminate at this time.

Fiscal Notes, FY2009 and Beyond:

Failure by the Commissioners Court, Hospital District Board, and Port Authority Board to "opt out" of the exemption of goods in transit from ad valorem taxation could result in reductions to local tax revenues of between \$18 million and \$23 million annually. The mid-point of those figures is shown to illustrate the substantive impact that will result unless all entities choose to continue to tax goods in transit as previously authorized.

Total Change in FTE's:	0	Total Fiscal Impact	\$0 (\$20,500,000)
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Bill Experts

Sonya Aston (713) 368-2137 Discussion Assessor & Collector of Taxes

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 681	Author:	Hochberg
Effective Date:	9/1/2007	Sponsor:	Duncan
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Caption

Relating to postconviction forensic testing.

Bill Category

Criminal Court Procedure Change

Code and Section

Code of Criminal Procedure 64.01 - 64.03

This bill would: Add a 60-day time limit for the DA to respond to a motion for DNA testing; enable a person who previously made a confession or admission of guilt to submit a motion requesting a DNA test and precludes the court from finding that identity is not an issue solely on the basis of a confession or admission; and allows the convicted person to request the court to use a specific accredited lab to perform the DNA analysis. The bill states that a political subdivision of the state has no liability for the cost of lab testing under CCP Article 64.03.

Code of Criminal Procedure 11.07

Says that a convicting court can order additional forensic testing if it determines that there are unresolved or controverted facts in a case. The cost of additional forensic testing would be paid by the state.

Department(s) Operations Impact:

District Attorney's Office

Impact on Department Operations:

The DA's office receives approximately 10 Chapter 64 DNA motions per month and anticipates difficulty meeting the mandated 60-day response time in some cases due to the time it takes to obtain required paperwork and evidence from other county departments and/or unaffiliated agencies or companies. The impact on the DA's Office will depend on how the judge responds to motions where the DA wasn't able to complete their investigation in 60 days: if the judge delays the proceedings until the investigation is finished then no operational impact is expected; if judges require an expedited investigation or rules before the investigation is complete, then the DA's Office will need to increase staffing to be able to more timely respond to these motions.

Although the bill excludes the County from any financial liability, the DA's Office is similarly concerned about the defendants ability to request that the test(s) be performed by any accredited lab for chain-of-custody reasons. From the roughly 120 motions, Harris County requests approximately 20 DNA tests per year.

Department(s) Fiscal Impact:

District Attorney's Office

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$55,000	\$113,000
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	1	Capital Expense	\$0
		Net Cost:	\$113,000
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	(\$113,000)

Fiscal Notes, Remainder of Harris County FY2008:

Based on a 60-day response time, the DA's office estimated the need for an additional investigator (@ \$80,000 base salary) to expedite responses to the motions. The actual need for additional staff depends on how judges



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 681	Author:	Hochberg
Effective Date:	9/1/2007	Sponsor:	Duncan
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

respond if/when investigations take more than the 60-day period. If the judges choose to delay the proceedings in those cases, the DA would not need additional staff. If the judges choose to rule w/o a completed investigation or order expedited investigations, then the DA would likely need additional staff (at least one investigator depending on how many judges go this route).

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	1	Total Fiscal Impact	(\$55,000)	(\$113,000)
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Bill Experts

Peyton Peebles (713) 755-5826 Email, Report, other District Attorney's Office

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	HB 1260	Author:	Martinez, "Mando"
Effective Date:	9/1/2007	Sponsor:	Hinojosa
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Does not apply

Caption

Relating to exempting certain military personnel from certain state and local governmental fees

Bill Category

Fees/Other/Mandatory/Amount Change

Code and Section

Government Code **Adds Section 431.03**

The bill would amend the Government Code by exempting certain active duty military personnel from paying certain state and local fees incurred as the result of arranging personal affairs in preparing to be deployed to a hostile fire zone. The bill includes exempting from fees for obtaining copies of birth certificates, marriage certificates, divorce decrees, child support orders, guardianship documents, property tax records, and transferring property titles.

The Department of State Health Services (DSHS) states that the fee for a birth certificate is \$22 and the fee for marriage verification is \$20.

Department(s) Fiscal Impact:

County Clerk's Office

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
	Capital Expense	\$0	\$0
	Net Cost:	\$0	\$0
	Inc/(Dec) Revenue	\$0	\$0
	Net Fiscal Impact	\$0	\$0

Fiscal Notes, Remainder of Harris County FY2008:

According to the Department of State Health Services, most of the exempt records would be issued through the local registrar's office and by county clerks. The fiscal impact to local government for the loss of revenues for the exempted fees cannot be estimated because the number of military personnel being deployed is unknown.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Other Notes:

According to the Department of State Health Services, most of the exempt records would be issued through the local registrar's office and by county clerks. The fiscal impact to local government for the loss of revenues for the exempted fees cannot be estimated because the number of military personnel being deployed is unknown.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	HB 1267	Author:	Pena
Effective Date:	9/1/2007	Sponsor:	Seliger
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Does not apply

Caption

Relating to appointment procedures concerning and compensation and reimbursement for counsel appointed to represent indigent defendants in certain criminal and post-conviction proceedings and to the creation of an indigent defense representation fund

Bill Category

Fees/Courts/Mandatory/New

Code and Section

Code of Criminal Procedure 102.023, 133.107

Government Code

Local Government Code

The bill adds a new \$2 fee for each conviction of a criminal offense, for the purpose of funding indigent defense representation. The bill also stipulates that the state is to reimburse the county for the cost of defending indigent inmates who are charged with a crime while in TDCJ's custody. Finally, the bill includes a provision requiring the county to pay attorneys appointed to represent indigent defendants within 60 days.

Department(s) Operations Impact:

District Courts

Impact on Department Operations:

Department(s) Fiscal Impact:

District Courts

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$29,000
		Net Fiscal Impact	\$58,000

Fiscal Notes, Remainder of Harris County FY2008:

The bill becomes effective halfway through the fiscal year. The only provision in this bill that would have a fiscal impact is the imposition of the \$2 fee on criminal convictions. In 2006 in Harris County, there were 49,424 convictions in county courts, 28,933 convictions in district courts, and 211,899 convictions in JP courts (excluding parking and pedestrian cases). A fee of \$2 per conviction would generate revenue of \$580,500. Statute allows the county to retain 10% of the fee amount, which comes to a full-year amount of \$58,000.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$29,000	\$58,000
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Bill Experts

Kelly Smith (713) 755-0951 District Courts



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1267	Author:	Pena
Effective Date:	9/1/2007	Sponsor:	Seliger
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Does not apply

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	HB 1295	Author:	Hartnett
Effective Date:	9/1/2007	Sponsor:	Wentworth
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Funded

Caption

Relating to filing fees for certain actions filed in a court with probate jurisdiction.

Bill Category

Fees/Courts/Mandatory/New

Code and Section

Local Government Code **118.051, .052, .055, .057, .067**

Bill would create a new "Supplemental Court-Initiated Guardianship Fee" of \$20 that would be applied to certain probate original actions and adverse probate actions.

Department(s) Operations Impact:

County Clerk's Office

Impact on Department Operations:

HB 1295's \$20 "Supplemental Court-Initiated Guardianship Fee" that would be applied to certain probate original actions and adverse probate actions is expected to apply to approximately 8,500 actions in Harris County annually. Total annual revenues are estimated to be \$170,000. No significant collections or IT costs are anticipated as a result of implementing this charge.

Department(s) Fiscal Impact:

County Clerk's Office

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
	Capital Expense	\$0	\$0
	Net Cost:	\$0	\$0
	Inc/(Dec) Revenue	\$170,000	\$170,000
	Net Fiscal Impact	\$170,000	\$170,000

Fiscal Notes, Remainder of Harris County FY2008:

HB 1295's \$20 "Supplemental Court-Initiated Guardianship Fee" that would be applied to certain probate original actions and adverse probate actions is expected to apply to approximately 8,500 actions in Harris County annually. Total annual revenues are estimated to be \$170,000. No significant collections or IT costs are anticipated as a result of implementing this charge.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$170,000	\$170,000
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Bill Experts

Dan Sumrall (713) 755-3556 Email, Report, other County Clerk's Office

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1303	Author:	Pena
Effective Date:	9/1/2007	Sponsor:	West, Royce
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Does not apply

Caption

Relating to certain requirements applicable to orders of expunction or nondisclosure of criminal history records and to the protection of information that is the subject of one of those orders; providing penalties

Bill Category

Expunctions / Nondisclosures

Code and Section

Code of Criminal Procedure 55.02

Government Code

The bill allows expunctions and nondisclosure orders to be sent electronically. Currently these documents are sent by certified mail, which is more expensive and time-consuming than electronic transmission. The bill also requires the Department of Public Safety to notify certain private entities (such as background check companies) of an expunction.

Department(s) Operations Impact:

District Clerk's Office

Impact on Department Operations:

The bill will result in a savings for the District Clerk, since electronic transmission are cheaper than sending certified mail.

Department(s) Fiscal Impact:

District Clerk's Office

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	(\$12,300)	(\$24,700)
	Inc/(Dec) Operating Cost	(\$18,200)	(\$39,900)
Change to FTEs:	-1	Capital Expense	\$0
		Net Cost:	(\$64,600)
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$30,500
			\$64,600

Fiscal Notes, Remainder of Harris County FY2008:

The bill becomes effective halfway through the fiscal year. The primary source of savings associated with this bill comes from reduced labor costs. District Clerk's Office clerks currently spend 8 hours per day (1 FTE) on processing and mailing expunctions. Under this bill, processing time will be drastically reduced. Also, the District Clerk currently spends about \$36,000 (the amount goes up every year) on certified mailing costs for expunctions and orders of nondisclosure. By contrast, electronic transmissions would be essentially free.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	-1	Total Fiscal Impact	\$30,500	\$64,600
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Bill Experts

Wes McCoy (713) 755-7859 District Clerk's Office

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill: [HB 1303](#)
Effective Date: 9/1/2007
Bill of Interest?
Fiscal Impact? Yes

Author: Pena
Sponsor: West, Royce
Last Action: Enacted
Mandated? Does not apply



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1446	Author:	Bohac
Effective Date:	Effective Immediately	Sponsor:	Williams
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Does not apply

Caption

Relating to the period for preserving precinct election records

Bill Category

Elections

Code and Section

Election Code 66.058 amended

The act amends or adds several subsections to the Election Code pertaining to Preservation of Precinct Election Records, authorizing the ballots to be transferred from the secured ballot boxes to other locked and secured containers on or after the 61st day following an election so as to free the ballot boxes to be redistributed for use in another county election.

Election Code 66.058 (g) repealed

Repeals subsection 66.058 (g) of the Election Code which required the Secretary of State to instruct election authorities as to the proper preservation of federal election records.

This bill undoes an unintended consequence of HB 1580 (79th regular session). That bill required that election results be preserved for 22 months after an election by sealing ballot boxes for the duration. As a consequence, the availability of ballot boxes for elections occurring during the secure period became problematic. This bill allows the County Clerk to move the ballots for an election to another secure container after 61 days, relieving the need to purchase expensive additional ballot boxes.

Department(s) Operations Impact:

County Clerk - Election Admin.

Impact on Department Operations:

The only operations impact will be the formal unlocking of ballot boxes and transfer of ballots to other secure containers after the 61st day following the election.

County Clerk's Office

Impact on Department Operations:

The County Clerk Office will acquire secure containers to preserve the ballots for each election conducted by the Clerk for at least 20 months following the ballot transfer from original ballot boxes.

Department(s) Fiscal Impact:

County Clerk - Election Admin.

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0 \$0
		Inc/(Dec) Operating Cost	\$5,000 \$0
Change to FTEs:	0	Capital Expense	\$0 \$0
		Net Cost:	\$5,000 \$0
		Inc/(Dec) Revenue	\$0 \$0
		Net Fiscal Impact	(\$5,000) \$0

Fiscal Notes, Remainder of Harris County FY2008:



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1446	Author:	Bohac
Effective Date:	Effective Immediately	Sponsor:	Williams
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Does not apply

According to the Chief Deputy County Clerk, the total cost for purchase of containers to meet the requirements of HB 1446 should not exceed \$5,000. It is presumed these purchases will be made from existing department budget allocations.

Fiscal Notes, FY2009 and Beyond:

See note for FY 2008.

Total Change in FTE's:	0	Total Fiscal Impact	(\$5,000)	\$0
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Bill Experts

David Beirne	Email, Report, other	County Clerk - Election Administration
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Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1497	Author:	Van Arsdale
Effective Date:	9/1/2007	Sponsor:	Williams
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Mandated/No Fiscal Impact

Caption

Relating to the consequences of the failure by a person requesting information under the public information law to timely respond to certain written communications from a governmental body

Bill Category

Public Information Requests

This bill will have no fiscal impact on Harris County.

Code and Section

Government Code 552.222

Existing law allows a governmental body to seek clarification on a public information request but doesn't specify what should be done if the requestor does not respond. HB 1497 will allow governmental bodies to "close-out" such requests. To do so, the government must request clarification from the requestor in writing (certified mail if an address was provided) and if no written response is received within 61 days, the request can be assumed to be withdrawn.

Department(s) Operations Impact:

County Attorney's Office

Impact on Department Operations:

This bill impacts all county departments that respond to public information requests. This bill gives the county a way to close-out public information requests when the requestor doesn't respond to county requests for clarification (vs. leaving the files pending). The county can consider a request withdrawn if the requestor doesn't respond to the county's written request for clarification within 61 days. If the requestor provided a mailing address, the county must send written request for clarification via certified mail (\$2.65 + regular postage) for that request to be considered withdrawn (if not sent via certified mail, the matter would be considered to be still pending).

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1587	Author:	Kuempel
Effective Date:	9/1/2007	Sponsor:	Brimer
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Does not apply

Caption

Relating to participation and credit in, contributions to, and benefits and administration of the Texas County and District Retirement System

Bill Category

Retirement Issues

Code and Section

Government Code **841-845**

This bill makes a large number of changes related to the benefits and administration of TCDRS. From a Harris County perspective, the most significant option that was added by this bill would be for the County to consider a five year vesting requirement, as opposed to the current provision, which is eight years.

Department(s) Operations Impact:

Mgmt Services - HR & Risk Mgmt.

Impact on Department Operations:

This bill imposes no mandatory cost increase to the County and just increases the options already available. Foremost among those options is the ability for the county to use a five-year vesting option instead of the current eight years. HRRM is unlikely to recommend that commissioner's court implement this option which would cost the county about \$1 million per year (very preliminary estimate). The aspects of this bill are not expected to have any material impact on Harris County.

Department(s) Fiscal Impact:

Mgmt Services - HR & Risk Mgmt.

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

No impact for FY 2008 as the only potential impact of this bill cannot be implemented until calendar year 2009.

Fiscal Notes, FY2009 and Beyond:

Starting in calendar year 2009, this bill give the county the option to use a five-year vesting option instead of the current eight years. HRRM is unlikely to recommend that commissioner's court implement this option which would cost the county about \$1 million per year (very preliminary estimate).

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

David Kester (713) 755-5586 Email, Report, other Mgmt Services - HR & Risk Management

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1610	Author:	Madden
Effective Date:	9/1/2007	Sponsor:	Whitmire
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Unfunded

Caption

Relating to the requirement that a judge release on community supervision certain defendants convicted of certain state jail felonies.

Bill Category

Criminal Court Procedure--Sentencing & Punish

Code and Section

Code of Criminal Procedure 42.12

Mandatory probation is granted for certain low-level state jail drug offenses who have not previously been convicted of a felony. This bill extends the mandatory probation to include those people who have previously been convicted of a state jail felony that was punished as a Class A misdemeanor (12.44a).

Department(s) Operations Impact:

Sheriff's Department - Detention

Impact on Department Operations:

By mandating probation for certain low-level drug felons who have previously been convicted of a felony punished under 12.44(a), it is expected that HB 1610 could actually increase the number of people in Harris County jail. Currently, the "good candidates" for probation are generally placed on probation already and the "bad candidates" serve their time in state or county jail. Although this bill would result in more people receiving probation sentences instead of jail, it should be pointed out that many of the diverted offenders would have served time in State Jail, not the county. Of those people who would get probation as a direct result of HB 1610, many would wind-up in Harris County jail while waiting for available space in residential treatment programs or as a result of probation revocations, intermediate sanctions, and "jail therapy". Although this bill would divert some people from the county jail to probation, it is expected that the net effect will be an increase in County jail population of undetermined magnitude.

Community Sup. & Corrections

Impact on Department Operations:

This bill is expected to increase the number of people who are given probation. The incremental probationers are likely to be "bad" probation candidates (many of the "good" candidates are receiving probation already) and those who would prefer to serve their time in jail. The magnitude of the increased population is unknown.

Department(s) Fiscal Impact:

Sheriff's Department - Detention

		Impact to Harris County:		
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>	
		Inc/(Dec) Staff Cost	\$0	\$0
		Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0	\$0
		Net Cost:	\$0	\$0
		Inc/(Dec) Revenue	\$0	\$0
		Net Fiscal Impact	\$0	\$0

Fiscal Notes, Remainder of Harris County FY2008:

This bill is expected to result in an increased county jail population. The magnitude of the increase is unknown.

Fiscal Notes, FY2009 and Beyond:



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill: [HB 1610](#) **Author:** Madden
Effective Date: 9/1/2007 **Sponsor:** Whitmire
Bill of Interest? **Last Action:** Enacted
Fiscal Impact? Maybe **Mandated?** Unfunded

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Peyton Peebles (713) 755-5826 Email, Report, other District Attorney's Office

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1623	Author:	Phillips
Effective Date:	9/1/2007	Sponsor:	Carona
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Underfunded

Caption

Relating to certain offenses, fees, and penalties imposed for operating a motor vehicle or vessel in violation of law and to the use of the money collected.

Bill Category

Criminal Court Procedure--Sentencing & Punish
 Fees/Courts/Optional/Amount Change
 Fees/Courts/Optional/New
 Fees/Other/Mandatory/Amount Change
 Fees/Courts/Mandatory/New

Code and Section

Transportation Code 502.404

Adds that a court MAY dismiss a charge for driving without 2 properly displayed license plates if it is fixed before the court appearance. Provides for a maximum admin. fee of \$10 (vs. a max. fine of \$200 previously).

Transportation Code 502.407

Court may dismiss a charge for driving with expired registration if the person renews their registration by the later of 20 days or the court date (vs. 10 days previously). Doubles the maximum admin. fee to \$20 upon dismissal.

Transportation Code 502.409

Adds that a court MAY dismiss a charge for driving without obscured or otherwise unreadable license plates/registration if it is fixed before the court appearance. Provides for a maximum admin. fee of \$10 (vs. a max. fine of \$200 previously).

Transportation Code 521.025

Adds that a court can assess \$10 admin fee if it dismisses a charge for driving without a license if the person later proves he did possess a license at the time of the offense. Only change is the application of the \$10 fee.

Transportation Code 521.026

Court MAY dismiss a charge for driving with expired license if the person renews their license by the later of 20 days or the court date (vs. 10 days previously). Doubles the maximum admin. fee to \$20 upon dismissal.

Transportation Code 521.054

Court MAY dismiss a charge for not having updated name & address information on a driver's license if the person corrects the problem within 20 days. Sets a maximum admin. fee of \$20 upon dismissal but allows a judge to waive the fee.

Transportation Code 521.221

Court MAY dismiss a charge for violating certain restrictions placed on a driver (such as driving without glasses) if the basis for the restriction was resolved prior to the offense or if the department removes the restriction prior to the first court appearance. Sets an admin. fee of \$10 upon dismissal.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	HB 1623	Author:	Phillips
Effective Date:	9/1/2007	Sponsor:	Carona
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Underfunded

Transportation Code 521.457

Makes driving with a canceled or suspended license a Class C misdemeanor (vs. a misdemeanor punishable by a fine of \$100-\$500 and between 72 hours and 6 months in county jail previously). This does not apply to repeat offenses or to a license that was canceled or suspended as a result of a DWI.

Transportation Code 547.004

Adds that a court MAY dismiss a charge for driving a vehicle that doesn't meet the equipment and safety standards defined in this section (proper lighting, brakes, windshield tinting, etc.) if it is fixed before the court appearance provided that an admin. fee of up to \$10 is paid. This does not apply to commercial vehicles.

Transportation Code 548.605

Court MAY dismiss a charge for driving with expired inspection certificate if the person renews the certificate by the later of 20 days or the court date (vs. 10 days previously). Doubles the maximum admin. fee to \$20 upon dismissal.

Department(s) Operations Impact:

Sheriff's Department - Detention

Impact on Department Operations:

Changing the DWLS offense to a Class C misdemeanor could reduce the daily jail population. There are approximately 50 people in county jail on DWLS offenses at any given time. This bill will remove some of these 50 people from County jail, although those who are repeat offenders and those whose license was suspended as a result of a DWI will remain subject to the required jail time.

Justices of the Peace

Impact on Department Operations:

This bill gives judges additional discretion to dismiss certain vehicle license, registration, and inspection offenses if the defendant remedies the cause of the offense within a specified time. Administrative fees are added or increased for dismissed cases.

Department(s) Fiscal Impact:

Justices of the Peace

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

This bill may increase the number of cases that are dismissed by the justice courts and will also increase the total administrative fees collected as a result of those dismissals. When a case is dismissed, the County loses approximately \$20 in revenue (jp court costs + the share of \$ remitted to the state that is retained by the county) plus the amount of the fine that would have otherwise been collected. This is partially offset by the admin. fee that is assessed for the dismissals. The ultimate financial impact of this bill is unknown, and will depend upon the change in the number of cases that the justice courts choose to dismiss. The following background information and statistics help to view the potential magnitude of any financial impacts:



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1623	Author:	Phillips
Effective Date:	9/1/2007	Sponsor:	Carona
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Underfunded

521.221 (violating restrictions on a driver's license). There were 906 such cases in 2006. The applicable fine is \$44. The court is now given authority to dismiss these cases for a \$10 admin. fee.

521.054 (Incorrect information on driver's license). There were 4622 such cases in 2006. The applicable fine = \$14. The court is now given authority to dismiss these cases for a fee of up to \$20, although the judge may waive the fee.

502.407 (Driving with Expired Registration). In 2006, 12,703 cases were dismissed with a \$10 admin fee out of a total of 43,363 cases. The applicable fines range from \$14 to \$44. This bill doubles the admin. fee to \$20 which would generate an additional \$127,030.

502.409 (Driving with obscured or unreadable plates/registration). There were 775 cases in 2006 with an applicable fine of \$14. The court is now given authority to dismiss these cases for a \$10 admin. fee.

502.404 (Driving without properly displayed plates). In 2006 there were 2,933 cases with applicable fines ranging from \$14 to \$44. The court is now given authority to dismiss these cases for a \$10 admin. fee.

548.605 (Driving with Expired Inspection Certificate). There were 39,534 cases with 12,547 dismissals for a \$10 admin. fee. The applicable fine is \$11. This bill doubles the admin. fee to \$20 which would generate an additional \$125,470.

521.026 (Driving with expired license). There were 3,050 cases and 446 dismissals for a \$10 admin fee in 2006. The applicable fine is \$39. This bill doubles the admin. fee to \$20 which would generate an additional \$4,460.

547.004 (Driving vehicle that doesn't meet equipment standards). There were 8,797 cases in 2006 with 120 dismissed with a \$10 admin. fee payment. The applicable fine ranges from \$11 to \$186. The court is now allowed to dismiss these cases for a \$10 admin. fee.

521.025 (Driving without license on-person). There were 12,608 cases in 2006 with 41 dismissals. The applicable fine is \$59. The court can now charge a fee of \$10 for dismissals, resulting in an additional \$410 annually.

Fiscal Notes, FY2009 and Beyond:

Sheriff's Department - Detention

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0
		Inc/(Dec) Operating Cost	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

521.457 (Driving with a suspended license). At any given time there are approximately 50 people in county jail for driving with a suspended license. As a result of this bill, many of these people (exact proportion unknown) will be charged with a class C misdemeanor and will no longer be required to serve jail time, thereby resulting in reduced costs for HCSO.

Fiscal Notes, FY2009 and Beyond:



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1623	Author:	Phillips
Effective Date:	9/1/2007	Sponsor:	Carona
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Underfunded

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Harry Leverette (713) 755-7736 Discussion Court Services - County (Wessels)

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1678	Author:	Madden
Effective Date:	9/1/2007	Sponsor:	Whitmire
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Caption

Relating to the operation of a system of community supervision.

Bill Category

Criminal Court Procedure--Sentencing & Punish
 Procedure Change - Optional
 Prison/Jail Overcrowding

Code and Section

Code of Criminal Procedure 42.03

States that a defendant shall get credit toward his sentence for any time spent in a SAFP treatment program or another court-ordered residential program as a condition of deferred adjudication community supervision so long as the person completed the treatment program at that facility.

Code of Criminal Procedure 42.12, Section 3b

Decreases the maximum probation term for certain 3rd degree felonies (primarily property and drug offenses) from 10 years to 5 years.

Code of Criminal Procedure 42.12 Section 4d

States that persons cannot receive community supervision sentences if they're adjudged guilty of an offense under Penal Code 19.02 (murder).

Code of Criminal Procedure 42.12, Section 15(h)(2)

Mandates that a judge give credit against time sentenced in a state jail felony facility for any time served in a SAFP or other CSCD residential treatment program prior to sentencing, but only if the program was completed successfully.

Code of Criminal Procedure 42.12, Section 16a

Gives judges discretion over community service requirements for people placed on probation (statute currently mandates minimum community service hours depending on the severity of the offense).

Code of Criminal Procedure Section 20

Mandates judicial review of probation sentences at the later of two years or 1/2 of the probation sentence. At that review, the court may reduce, terminate, or leave the sentence as-is. If the court does not think a person has satisfied the terms of supervision, the court must notify the defendant in writing what is required to meet the conditions of community supervision. This section does not apply to Section 3g offenses, DUI-related offenses, and offenses requiring registration as a sex offender.

Local Government Code 132.002

If approved by the courts, allows CSCD's to collect fines, fees and court costs by debit or credit card.

Department(s) Operations Impact:

Sheriff's Department - Detention

Impact on Department Operations:



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1678	Author:	Madden
Effective Date:	9/1/2007	Sponsor:	Whitmire
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Shorter probation sentences (5 year max. instead of 10 years for certain 3rd degree felonies) will result in fewer probation revocations and therefore fewer jail days. The impact of this would not begin to be seen until 2012, however, and is not expected to be significant.

By now receiving credit for completed court-ordered drug treatment programs, certain people whose probation is revoked will have shorter remaining sentences. Many of these people will be revoked to state jails but some will remain in county jails after revocation and thus will have shorter county jail stays due to this bill. There are no reliable statistics to determine the magnitude of the impact on the county jail population, but as a point of reference, the average treatment program duration is 6 months and a total of 660 people who completed residential treatment over the past two years have been rearrested and could thus benefit from the terms of this bill (although an unknown number of these arrests are new charges which would not be subject to this bill).

County Courts

Impact on Department Operations:

Court review of probation sentences at the later of 2 years or 1/2 of the original probation sentence will not apply to the County courts because the maximum misdemeanor probation term is 2 years.

District Courts

Impact on Department Operations:

Court review of probation sentences at the later of 2 years or 1/2 of the original probation sentence could result in slight increases in judicial workload. The increased workload is not expected to be significant, however, because comparable reviews are already being done by the large majority of the courts.

Community Sup. & Corrections

Impact on Department Operations:

Reduced probation population due to:

- a) 5 year maximum term (vs. 10 years currently) for certain 3rd degree felonies. The impact of this won't begin to be seen for 5 years. CSCD currently has 714 people on probation for the targeted 3rd degree felonies who have been on probation for greater than 5 years.
- b) Shortened probation duration due to judicial review at later of 2 years or 1/2 of the sentence.

Any decreases in probationer population will result in reductions in probationer payments and state funding.

Because CSCD currently only has one murder case, the elimination of probation for people convicted of murder is not expected to have a material impact.

CSCD plans to evaluate the use of debit/credit cards.

Department(s) Fiscal Impact:

Sheriff's Department - Detention

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0 \$0
		Inc/(Dec) Operating Cost	\$0 \$0
Change to FTEs:	0	Capital Expense	\$0 \$0
		Net Cost:	\$0 \$0
		Inc/(Dec) Revenue	\$0 \$0
		Net Fiscal Impact	\$0 \$0

Fiscal Notes, Remainder of Harris County FY2008:



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1678	Author:	Madden
Effective Date:	9/1/2007	Sponsor:	Whitmire
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

This bill is expected to result in a positive, but unknown, financial impact due to a reduction in the county jail population as a result of prisoners now receiving jail time credit for time spent in court ordered residential treatment programs. For reference, over the past two years, an average of 330 people who completed residential treatment programs through HCCSCD at an average program duration of 180 days were subsequently re-arrested. Of those 330 people, those who were revoked on the same charge (vs. arrested on a new charge) AND who were sent back to serve time in county jail (instead of state jail), would see reduced county jail time as a result of this bill.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Gilbert Garcia	(713) 755-2707	Email, Report, other	Community Supervision & Corrections
Kelly Smith	(713) 755-0951	Email, Report, other	District Courts

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 1886	Author:	Callegari
Effective Date:	9/1/2007	Sponsor:	West, Royce
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Does not apply

Caption

Relating to the procurement methods of certain political subdivisions and certain other entities for the construction, rehabilitation, alteration, or repair of certain projects.

Bill Category

New County Authority

Code and Section

Local Government Code 271.111

Expands those entities that are allowed to utilize alternative delivery methods for construction projects to include Hospital Districts, Water Districts, and certain other special purpose districts.

Local Government Code Chapter 271

Adds a section which allows entities, including counties, to use the design-build delivery method for civil works projects (previously this ability didn't extend to civil projects although it was OK for building construction). This section specifies the procedures for using this project delivery method for Civil projects.

Department(s) Operations Impact:

Hospital District

Impact on Department Operations:

Allows Hospital District to utilize alternative delivery methods for construction projects which can result in both time and cost savings on some projects. Many of the benefits of a design-build delivery result from having a single point of contact for design and construction, often resulting in fewer change-orders.

Public Infrastructure Dept. (PID)

Impact on Department Operations:

Allows the County to utilize design-build project delivery method for Civil construction projects. This is already allowed for building construction. Benefits of using this delivery method can include a single point of accountability which can reduce costs and change-orders and can also result in quicker completion.

Department(s) Fiscal Impact:

Public Infrastructure Dept. (PID)

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0 \$0
		Inc/(Dec) Operating Cost	\$0 \$0
Change to FTEs:	0	Capital Expense	\$0 \$0
		Net Cost:	\$0 \$0
		Inc/(Dec) Revenue	\$0 \$0
		Net Fiscal Impact	\$0 \$0

Fiscal Notes, Remainder of Harris County FY2008:

Benefits of using the design-build delivery method for Civil projects is expected to result in cost savings and quicker project completion. The magnitude of the savings is not estimable at this time.

Fiscal Notes, FY2009 and Beyond:



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill: [HB 1886](#)
Effective Date: 9/1/2007
Bill of Interest?
Fiscal Impact? Maybe

Author: Callegari
Sponsor: West, Royce
Last Action: Enacted
Mandated? Does not apply

Hospital District

Impact to Harris County:
Effective Date Thru-2/08 *FY2009*

	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

Benefits of using the design-build delivery method for Hospital District projects is expected to result in cost savings and quicker project completion where this is used. The magnitude of the savings is not estimable at this time.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Mike Yancey (713) 755-8293 Email, Report, other Public Infrastructure Department (PID)

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	HB 1887	Author:	Truitt Pena
Effective Date:	9/1/2007	Sponsor:	Whitmire
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Change to FTEs:	0	Capital Expense	\$0	\$0
		Net Cost:	\$726,000	\$1,453,000
		Inc/(Dec) Revenue	\$0	\$0
		Net Fiscal Impact	(\$726,000)	(\$1,453,000)

Fiscal Notes, Remainder of Harris County FY2008:

The bill becomes effective halfway through the fiscal year.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	(\$726,000)	(\$1,453,000)
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Bill Experts

Lyn McClellan		District Attorney's Office
Richard Ricks	(713) 967-5812	Sheriff's Department - Detective

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill: [HB 1910](#)
Effective Date: 9/1/2007
Bill of Interest?
Fiscal Impact? Yes

Author: Elkins
Sponsor: Watson
Last Action: Enacted
Mandated? Does not apply

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Sonya Aston (713) 368-2137 Discussion Assessor & Collector of Taxes

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	HB 1960	Author:	Ortiz, Jr. Madden
Effective Date:	9/1/2007	Sponsor:	Hinojosa
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Unfunded

improve system functionality and will also depend on the number of requests that are made by juveniles or their families (there is no data on this because that option does not currently exist).

Fiscal Notes, FY2009 and Beyond:

Constable Precincts (All)

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

All county law enforcement agencies enter juvenile offense reports into a central database. That database is in the process of being replaced. At this time, Ms. Harper is unsure what changes, if any, will need to be made to the new system to accommodate the reporting functions that would be required to easily provide requested records to juveniles or their families. Future resources will depend on whether programming changes are needed to improve system functionality and will also depend on the number of requests that are made by juveniles or their families (there is no data on this because that option does not currently exist).

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Mary Jo Chavez-Har (713) 921-8756	Discussion	Sheriff's Department
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Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2061	Author:	Keffer
Effective Date:	Effective Immediately	Sponsor:	Williams
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Does not apply

Caption

Relating to the acquisition or disclosure of the social security number of a living person by a governmental body, including by a district or county clerk

Bill Category

Public Information Requests

Code and Section

Government Code **552.147**

Amends language of the Public Information Act to make the social security numbers of individuals filing certain documents with county or district clerks non-confidential, and provides that the clerks may disclose the social security in the normal course of their business without liability for civil or criminal damages. The clerk may also redact any social security number that is not required by other law to be retained upon specific written request of the individual.

Property Code **11.008**

Section 2 of the bill provides that deeds or deeds of trust filed for recording with the county clerk are not required to contain the social security number of an individual and instructs those preparing such documents not to include social security numbers in those instruments.

Department(s) Operations Impact:

County Clerk's Office

Impact on Department Operations:

When this bill was introduced, it required all public information records posted electronically by county clerks to be redacted; the County Clerk Office estimated the total costs of doing so to be well over \$17 million and that was considered optimistic by Budget Office analysts. Two types of impact would have resulted: contracts with private firms to redact all but the last four digits of social security numbers contained in the copies of documents posted to the intranet database, and the hiring of numerous clerks to manually redact copies of those records prior to handing them to the requestor. The adopted version vastly reduces the impact on County Clerks as well as any ancillary costs.

County Attorney's Office

Impact on Department Operations:

It appears that the adopted version will also save time and effort that would have been necessary to defend the County Clerk from lawsuits that would have been brought by individuals seeking damages for unintentional disclosure of previously-confidential social security numbers. It is impossible to estimate the number of such suits that might have been brought and the resultant costs to the County in defending our interests.

Department(s) Fiscal Impact:

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$1,500,000	\$1,250,000
	Inc/(Dec) Operating Cost	\$3,250,000	\$4,250,000
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$4,750,000
		Inc/(Dec) Revenue	\$0



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2359	Author:	Hartnett
Effective Date:	9/1/2007	Sponsor:	Wentworth
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Funded

Caption

Relating to the collection of certain filing fees by statutory probate courts for deposit in the judicial fund, the use of those deposits, and the remittance of the excess of those deposits.

Bill Category

Fees/Courts/Mandatory/New

Code and Section

Government Code 51.704

Government code 51.704 currently allows a county commissioners court to decide whether to collect a \$40 filing fee for certain probate court actions. These funds are contributed to the judicial fund and returned to the Counties to use in support of the county probate courts. This bill revokes commissioners court's rights to decide whether to collect this \$40 probate filing fee and makes collection mandatory. The bill also adds a provision whereby the state can use \$5,000 of the judicial fund to pay a portion of the presiding judge's salary. The bill also amends the formula by which any excess funds are distributed among the counties.

Department(s) Operations Impact:

County Clerk's Office

Impact on Department Operations:

Harris County does not currently collect this \$40 fee and will be forced to do so. No additional costs are anticipated in connection with the collection of this fee.

Department(s) Fiscal Impact:

Probate Courts

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
	Capital Expense	\$0	\$0
	Net Cost:	\$0	\$0
	Inc/(Dec) Revenue	\$169,500	\$339,000
	Net Fiscal Impact	\$169,500	\$339,000

Fiscal Notes, Remainder of Harris County FY2008:

Harris County has not collected this \$40 filing fee in the past. In 2006, there were 8201 new cases and 270 adverse cases filed that would be subject to this new filing fee which would have generated \$339,000. This money will go into the Judicial Fund and will be used in part to pay \$5,000 of the presiding judge's salary and \$40,000 for each of 4 statutory probate court judges.

The statewide surplus in this fund will be reimbursed to the counties in proportion to their contributions - if Harris County receives full reimbursement, total additional revenue from this bill is estimated to be \$339,000.

It should be noted that statute states that the county shall implement this probate filing fee, it also states that a county clerk cannot collect a fee under both sections 51.702 (county court civil filing fee) and 51.704 (probate filing fee). Because Harris County does collect a fee under 51.702 currently, there was some confusion about our ability/requirement to collect the probate fee as well. The County Attorney's opinion is that duplicate fees can't be collected under both sections for the SAME case but doesn't preclude the County's application of both a probate and a civil court filing fee.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2359	Author:	Hartnett
Effective Date:	9/1/2007	Sponsor:	Wentworth
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Funded

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$169,500	\$339,000
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Bill Experts

Nadine Johnson	(713) 755-6425	Email, Report, other	County Clerk's Office
Debbie Smith	(713) 755-4424	Discussion	Auditor's Office

Other Notes:

SB 821, which passed this session, is also related to use of Gov't Code 51.704 filing fees. SB 821 states that the county may pay all or part of an associate probate court judge's salary from excess contributions to the county from the judicial fund.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	HB 2365	Author:	Truitt
Effective Date:	Effective Immediately	Sponsor:	Duncan
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Unfunded

Caption

Relating to financial accounting and reporting for this state and political subdivisions of this state.

Bill Category

Procedure Change - Mandated

Code and Section

Local Government Code 112.002

HB 2365 allows political subdivisions to report retiree health benefits on a pay-as-you-go basis instead of the methodology proposed by GASB45.

Department(s) Operations Impact:

Auditor's Office

Impact on Department Operations:

HB 2365 gives the County the option to continue using a pay-as-you-go accounting basis for retiree health benefits in-lieu of implementing GASB 45.

At present (July 5, 2007), the Auditor's intent is to comply with GASB 45 but a final decision has not been made. Regardless of whether the County implements GASB 45 or continues to use pay-as-you-go accounting, an actuarial study will be needed to calculate the County's retiree healthcare liability.

Department(s) Fiscal Impact:

Auditor's Office

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
	Capital Expense	\$0	\$0
	Net Cost:	\$0	\$0
	Inc/(Dec) Revenue	\$0	\$0
	Net Fiscal Impact	\$0	\$0

Fiscal Notes, Remainder of Harris County FY2008:

Implementing GASB 45 is not expected to have a significant fiscal impact although a related actuarial study is needed regardless of the chosen accounting basis. Annual audit fees are not expected to vary much under either approach.

If, a decision were to be made to continue using the pay-as-you-go approach, it is possible that the deviation from GAAP could affect independent audit opinions for County financial statements and ultimately impact how credit rating agencies and investors view Harris County (thus impacting financing costs).

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Barbara Schott (713) 755-6505 Email, Report, other Auditor's Office



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2365	Author:	Truitt
Effective Date:	Effective Immediately	Sponsor:	Duncan
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Unfunded

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2391	Author:	Madden
Effective Date:	9/1/2007	Sponsor:	Seliger
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Mandated/No Fiscal Impact

Caption

Relating to the appearance of certain misdemeanor offenders before a magistrate.

Bill Category

This bill will have no fiscal impact on Harris County.

Criminal Court Procedure--Sentencing & Punish
 Prison/Jail Overcrowding

Code and Section

Code of Criminal Procedure 14.06

Allows a law enforcement officer to issue to a citizen of that county, a citation to appear in court, instead of taking a person to jail, for the following class A and B misdemeanors:
 Possession of 0-4 ounces of marijuana; Criminal mischief if the loss is between \$0 and \$500; theft between \$50 and \$500; theft by check of \$20 to \$500; theft of service between \$20 and \$500; providing contraband to a person in a correctional facility (misd. Offenses only); and driving with an invalid license.

Further, if a person appears before the magistrate at the appropriate time, the magistrate shall release that person on personal bond except for good cause.

Department(s) Operations Impact:

County Courts

Impact on Department Operations:

The provisions of this bill are not expected to affect Harris County.

Sheriff's Department

Impact on Department Operations:

The provisions of this bill are not expected to affect Harris County.

Bill Experts

Marshall Shelsy (713) 755-7734 Discussion County Courts

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2439	Author:	Truitt Davis, John
Effective Date:	Effective Immediately	Sponsor:	Janek
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Caption

Relating to the functions of local mental health and mental retardation authorities.

Bill Category

Civil Mental Health Stabilization
 Health and Safety

Code and Section

Health & Safety Code **Amends Section 533.031, 533.035, 533.0351,**

Health & Safety Code **Adds Section 533.03521**

Requires a local mental health authority to develop a local network development plan (plan) regarding the configuration and development of that authority's provider network. Requires the plan to reflect local needs and priorities and to maximize consumer choice and access to qualified service providers.

Health & Safety Code **Amends Section 533.0355**

Requires the executive commissioner to adopt rules establishing the roles and responsibilities of local mental retardation authorities. Deletes existing definition of "waiver program."

Department(s) Operations Impact:

MHMRA

Impact on Department Operations:

Mental Retardation Authority Impact: The financial impact of HB 2439 on the Mental Retardation side of the house cannot be determined until the rules for implementation are finalized by the state. If the rules add new mandates then the cost of compliance may increase.

MHMRA

Impact on Department Operations:

Mental Health Authority Impact: We are currently developing the network development plan as required by this bill. Internally we will set up an 'external network management' department to handle the bid process for the various service packages. Bids will be issued quarterly beginning in fall 2008 and be repeated every two years. [Costs are detailed below].

Public Health & Env. Services

Impact on Department Operations:

Clarifies roles and responsibilities of local mental health and mental retardation authorities. Requires a local mental health authority to provide mental health services only as a provider of last resort.

Department(s) Fiscal Impact:

MHMRA

	Impact to Harris County:	
	<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
Inc/(Dec) Staff Cost	\$113,544	\$227,088
Inc/(Dec) Operating Cost	\$20,160	\$176,000



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2439	Author:	Truitt Davis, John
Effective Date:	Effective Immediately	Sponsor:	Janek
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Change to FTEs:	4	Capital Expense	\$0	\$0
		Net Cost:	\$133,704	\$403,088
		Inc/(Dec) Revenue	\$0	\$0
		Net Fiscal Impact	(\$133,704)	(\$403,088)

Fiscal Notes, Remainder of Harris County FY2008:

The indirect cost rate of 22.75% is the average rate applicable to all Harris County Departments. Increase in staff costs is \$92,500 plus the indirect cost rate of 22.75% equals \$113,544.

Fiscal Notes, FY2009 and Beyond:

Operating costs includes supplies,etc. at a cost of \$40,000 plus \$136,000 annually for issuing bids quarterly on the defined service packages. Increase in staff cost is \$185,000 plus the indirect cost rate of 22.75% which equals \$227,088.

Several years out we may see a shift in costs as Internal Providers costs decrease and shifts to External Providers- however the upfront costs will be a burden until systems are operational which is projected to be four to six years in the future.

Total Change in FTE's:	4	Total Fiscal Impact	(\$133,704)	(\$403,088)
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Bill Experts

Jennifer DeCubellis (713) 970-3424 Email, Report, other Mental Health & Mental Retardation Authority

Other Notes:

The financial impact of HB 2439 on the Mental Retardation side of the house cannot be determined until the rules for implementation are finalized by the state. If the rules add new mandates then the cost of compliance may increase.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2524	Author:	McClendon Menendez
Effective Date:	9/1/2007	Sponsor:	Van de Putte
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Does not apply

Caption

Relating to the establishment of a pilot project to construct a public safety triage and detoxification unit and the provision of mental health and substance abuse treatment

Bill Category

Criminal Mental Health Stabilization

This bill will have no fiscal impact on Harris County.

Code and Section

Health & Safety Code

H.B. 2524 authorizes the development of a pilot project in Bexar County, through which the Department of State Health Services will assist Bexar County in providing medical and mental health care for jail inmates through intervention and detoxification units. The Department of State Health Services shall develop a pilot project in Bexar County to address jail overcrowding by diverting persons with mental illness or substance abuse problems to inpatient and outpatient services using a public safety triage and detoxification unit.

In developing the pilot project, the department shall:

- (1) assist in the construction of a public safety triage and detoxification unit through which inpatient and outpatient mental health and substance abuse treatment services may be administered; and
- (2) contract with the Bexar County local mental health and mental retardation authority or an appropriate nonprofit foundation for the provision of mental health and substance abuse assessment and treatment services, including services for dual diagnosis disorders, to persons with mental illnesses and substance abuse problems or both who are homeless or referred to the pilot project through a jail diversion program.

Not later than November 1, 2008, the department shall submit to the governor, lieutenant governor, and speaker of the house of representatives a report regarding:

- (1) the quality of the services provided through the pilot project;
- (2) the cost-effectiveness of providing mental health and substance abuse services in coordination with a jail diversion program;
- (3) recommendations for establishing similar programs throughout the state; and
- (4) any other relevant information as determined by the department.

This section expires September 1, 2009.

Department(s) Operations Impact:

MHMRA

Impact on Department Operations:

For information only, no fiscal impact to Harris County.

Sheriff's Department - Detention

Impact on Department Operations:

For information only, no fiscal impact to Harris County.

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2564	Author:	Hancock
Effective Date:	Effective Immediately	Sponsor:	Wentworth
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Mandated/No Fiscal Impact

Caption

Relating to the authority of a governmental body to require the payment of a charge before complying with certain requests for the production of public information or for copies of public information

Bill Category

This bill will have no fiscal impact on Harris County.

Fees/Other/Optional/New
 Open Records/Meetings
 Procedure Change - Optional

Code and Section

Government Code Adds Section 552.275

H.B. 2564 authorizes a governmental body to establish a reasonable time limit on the amount of time that personnel are required to spend producing information in compliance with a request for public information. The bill also provides a process in which the governmental body may charge a fee if the time limit required for information production is exceeded.

Department(s) Operations Impact:

County Attorney's Office

Impact on Department Operations:

The intent of this bill is to define a reasonable amount of time that may be spent on public information requests from an individual or entity within a 12 month period. Beyond that time limit, a governmental entity may elect to charge a fee for producing such information. Thus, the number of requests should not be increased as a result of this bill, and may in fact decrease. While there is no way to predict the frequency, number of requests, or volume of information that could be produced, all requests would be handled by the existing staff.

It should be noted however, that the media is by far the largest and most frequent requester of such information and they are exempt from the provisions of this bill.

Public Health & Env. Services

Impact on Department Operations:

This department receives frequent requests under the Public Information Act.

Sheriff's Department

Impact on Department Operations:

This department receives frequent requests under the Public Information Act.

Medical Examiner's Office

Impact on Department Operations:

This department receives frequent requests under the Public Information Act.

Toll Road Authority

Impact on Department Operations:

This department receives frequent requests under the Public Information Act.

Department(s) Fiscal Impact:



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	HB 2564	Author:	Hancock
Effective Date:	Effective Immediately	Sponsor:	Wentworth
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Mandated/No Fiscal Impact

Impact to Harris County:

		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

The number of requests made under the Public Information Act should not be increased as a result of this bill, and may in fact decrease if the county elects to charge a fee for services beyond a certain limit. While there is no way to predict the frequency, number of requests, or volume of information that could be produced, it is expected that such requests would be handled by the existing staff.

It should be noted that the media is exempt from the provisions of this bill and is not required to pay any type of fee for their requests, no matter how cumbersome.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Dave Swope (713) 755-5101 Discussion County Attorney's Office

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2625	Author:	Murphy
Effective Date:	9/1/2007	Sponsor:	Hegar
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Does not apply

Caption

Relating to the determination of prevailing wage rates in Texas counties

Bill Category

Labor Issues

Code and Section

Government Code **2258.022**

The bill removes the state requirement that the Department of Labor's Davis-Bacon wage rates be determined within the past 3 years in order to be used by political subdivisions.

Department(s) Operations Impact:

Public Infrastructure Dept. (PID)

Impact on Department Operations:

Harris County uses the Department of Labor's Davis-Bacon prevailing wage rates, in lieu of conducting our own wage survey, for public works projects. These wage rates are set by the federal government and are not always updated in a timely manner. This bill allows the county to use the most recent Davis-Bacon wage rates, even if they are over 3 years old. PID estimates that it would have cost up to \$500,000 to conduct our own wage rate survey, which we would have had to do without this bill.

Department(s) Fiscal Impact:

Public Infrastructure Dept. (PID)

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	(\$500,000)
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	(\$500,000)
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0 \$500,000

Fiscal Notes, Remainder of Harris County FY2008:

None

Fiscal Notes, FY2009 and Beyond:

This bill saves the county from having to spend an estimated \$500,000 to conduct a wage survey.

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$500,000
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Bill Experts

Bud Miller (713) 755-2611 Public Infrastructure Department (PID)

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2685	Author:	Chisum
Effective Date:	9/1/2008	Sponsor:	Estes
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Mandated/No Fiscal Impact

Caption

Relating to certain requirements for issuance of a marriage license, including an optional premarital education course.

Bill Category

Fees/Other/Mandatory/Amount Change

Code and Section

Family Code **Amends Section 2.013,Section 2.204(b)**

H.B. 2685 requires a premarital education course to include instruction in the key components of a successful marriage, requires the course to be at least eight hours, and waives the fee and 72-hour waiting period after issuance of a marriage license upon completion of a pre-marital course.

Local Government Code **Amends Section 118.011(a),Section 118.018a,b1**

Requires a county clerk to collect a service fee of \$60, rather than \$30, for a marriage license.

Local Government Code **Amends Section 118.022**

Sets forth the manner in which a fee for issuing a marriage license, if collected by the county clerk, is to be allocated. It would direct a county that collects a marriage license fee to deposit \$20 to the Child Abuse and Neglect Prevention Trust Fund and \$13 (\$10 increase) to the Family Trust Fund. It is assumed that local governments would retain the remaining \$27 (\$12.50 increase) per license.

Department(s) Operations Impact:

County Clerk's Office

Impact on Department Operations:

This bill does not go into effect until September 1, 2008. It is assumed that the collection and distribution of fees would be absorbed by the current staff.

Department(s) Fiscal Impact:

County Clerk's Office

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$348,000

Fiscal Notes, Remainder of Harris County FY2008:

None. This bill takes effect September 1, 2008.

Fiscal Notes, FY2009 and Beyond:

The Legislative Budget Board estimates that approximately 13% of those applying for marriage licenses would take the premarital course and thus have their fees waived. The remaining 87% would pay the new higher amount of \$60, which results in a net revenue increase for the county of \$12.50 per license. According to the County Clerk's office, approximately 32,000 marriage licenses are issued annually. 87% of that number (27,840)



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill: [HB 2685](#) **Author:** Chisum
Effective Date: 9/1/2008 **Sponsor:** Estes
Bill of Interest? **Last Action:** Enacted
Fiscal Impact? Yes **Mandated?** Mandated/No Fiscal Impact

times \$12.50 equals \$348,000.

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$348,000
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Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2884	Author:	
Effective Date:	9/1/2007	Sponsor:	
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Unfunded

Caption

Relating to juvenile delinquency; providing penalties.

Bill Category

Criminal Justice Policy - Juvenile

Code and Section

Code of Criminal Procedure 45.054

Clarifies that a court may not require a student to attend a JJAEP program as a result of excessive unexcused absences.

Family Code Various

Bill includes numerous additions and clarifications related to the transfer of probation supervision between counties.

Family Code 54.04

States that a child can be detained in a detention facility following disposition of the child's case pending transportation to the ordered placement AND provision of advisable medical and/or mental health care services.

Family Code 54.0481 (added)

Establishes groundrules for management of restitution payments received by the juvenile probation department. States that the county shall place any funds unclaimed after 5 years into an unclaimed juvenile restitution fund that can be used by the county for the same purposes for which the county can spend juvenile state aid.

Family Code 58.303

Adds language stating that a local juvenile justice information system may contain electronic filing of court orders and other documents filed with the court, including documents containing electronic signatures.

Family Code 58.305

States that the county court clerk shall be considered a "partner agency" as related to the local juvenile justice information system.

Family Code 58.352

Requires a juvenile court judge to post quarterly statistics on a county website that includes data on the number of children committed by the judge to TYC along with a general description of the offense committed and the age, race & gender of the child.

Family Code 58.403

States that the TX Juvenile Probation Commission, in partnership with local counties, MAY participate and assist in the creation & maintenance of a statewide system to provide statewide juvenile justice data, facilitate data sharing among agencies, and enhance reporting and data management needs of juvenile probation departments in the state.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill: [HB 2884](#) **Author:**
Effective Date: 9/1/2007 **Sponsor:**
Bill of Interest? **Last Action:** Enacted
Fiscal Impact? Maybe **Mandated?** Unfunded

Bill Experts

Amanda Jones	(713) 755-1832	Email, Report, other	Legislative Relations
Harvey Hetzel	(713) 222-4100	Email, Report, other	Juvenile Probation Department

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2926	Author:	Van Arsdale
Effective Date:	9/1/2007	Sponsor:	Ellis
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Funded

Caption

Relating to using county election precincts in every county for any election held on the November uniform election date

Bill Category

Elections

Code and Section

Election Code **42.002 (a) amended**

In a previous legislative session, Harris County was bracketed to exempt its large number of MUDs from having to use county election polling places for the conduct of elections during November. However, school districts were also exempted from using county election precincts for the conduct of their November elections, despite the close relationship of their elections to county elections. This resulted in greater cumulative expenses for voting booths and machines than would have been required had all school districts within counties, regardless of population, been mandated to use county election precincts for the conduct of their own elections.

This first section of the bill makes an amendment to include school districts among the political subdivisions required to use county election precincts during the conduct of elections.

Election Code **42.0621 (a) amended**

The bill also takes away the Harris County population or adjacency requirement to qualify for the mandated use, and exemption from use, of school districts and other political subdivisions (MUDs, etc.), respectively, during November elections.

Department(s) Operations Impact:

County Clerk's Office

Impact on Department Operations:

This bill should have a positive operational and fiscal impact for the County Clerk since that office will not be required to provide equipment to political subdivisions that choose to use other than county election precincts for conduct of their elections.

Department(s) Fiscal Impact:

County Clerk's Office

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

It is impossible to calculate the savings that will accrue from this bill over the foreseeable future; too little is known of the reductions that will occur. What is known with certainty at this time is that this bill will result in a saving for the County Clerk Office during each general election year.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill: [HB 2926](#) **Author:** Van Arsdale
Effective Date: 9/1/2007 **Sponsor:** Ellis
Bill of Interest? **Last Action:** Enacted
Fiscal Impact? Yes **Mandated?** Funded

Fiscal Notes, FY2009 and Beyond:

See the note for FY 2008.

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

David Beirne Discussion County Clerk - Election Administration

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 2967	Author:	Hartnett
Effective Date:	10/1/2007	Sponsor:	Watson
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Caption

Relating to a performance bond required of a statutory probate court judge.

Bill Category

Commissioners Court - Requirement
 Insurance Issues

Code and Section

Government Code **25.00231**

Requires a judge of a statutory probate court to execute a performance bond of \$500,000 prior to taking office. The commissioners court of a county is required to pay for the bond or comparable insurance out of the general fund. This bill eliminates existing code that requires a \$100,000 bond in Harris County.

Department(s) Operations Impact:

Mgmt Services - HR & Risk Mgmt.

Impact on Department Operations:

The Probate judges currently have \$100K bonds each at a cost of \$1,243 for a four year term. The cost for \$500K bonds each would be \$6,213 for the same term. Since there are four Probate judges, the total cost would increase from \$4,972 to \$24,852.

Department(s) Fiscal Impact:

Mgmt Services - HR & Risk Mgmt.

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$2,500	\$5,000
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$5,000
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	(\$5,000)

Fiscal Notes, Remainder of Harris County FY2008:

The Probate judges currently have \$100K bonds each at a cost of \$1,243 for a four year term. The cost for \$500K bonds each would be \$6,213 for the same term. Since there are four Probate judges, the total cost would increase from \$4,972 to \$24,852, or approximately \$5,000 per year.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	(\$2,500)	(\$5,000)
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Bill Experts

Kelly Nichols (713) 755-6606 Mgmt Services - HR & Risk Management

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 3011	Author:	Smith, Wayne Noriega
Effective Date:	Effective Immediately	Sponsor:	Jackson, Mike
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Does not apply

Caption

Relating to the creation of ship channel security districts by certain populous counties

Bill Category

Special Districts

This bill will have no fiscal impact on Harris County.

Code and Section

Water Code

Chapter 68

The bill creates the legal framework for creation of a Ship Channel Security District in Harris County. The purpose of the district is to improve security in the Houston Ship Channel by providing a mechanism for paying the local share of Department of Homeland Security grants. The grant monies, plus district assessments, will be used to acquire and operate port security equipment.

Department(s) Operations Impact:

Commissioners Court

Impact on Department Operations:

The district may be created only by Commissioners Court.

Sheriff's Department

Impact on Department Operations:

A large portion of the grant money will go to the Sheriff's Office for increased security in the ship channel.

Information Technology Center

Impact on Department Operations:

ITC will be involved with operating some of the security technology.

Port Authority

Impact on Department Operations:

Bill Experts

Ian Gorman

(713) 755-6704

Mgmt Services - Grants

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 3195	Author:	Hill
Effective Date:	9/1/2007	Sponsor:	Williams
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Caption

Relating to the requirements of a municipal or county budget that raises more property taxes than in the previous year's budget

Bill Category

Commissioners Court - Requirement

Code and Section

Local Government Code **Various sections**

This bill mandates certain notices be published in connection with the adoption of any county (or city) budget that will require greater tax revenues than raised for the prior year's budget. Notices must be published and posted using specified language and type sizes. In addition, the Court must essentially have two public votes in order to approve and adopt the budget.

This bill is intended to extend the requirements for public notice of increased tax revenues by local government entities to include increases that are created by the addition of new properties to the tax rolls rather than those that are exclusively caused by higher property valuations or tax rate increases. The bill also changes language from "any taxpayer" to "any person" in several sections pertaining to examination of the proposed budget and attendance of required public meetings wherein new tax rates, new budgets, or additional revenues derived from added properties on tax rolls will be discussed or voted on.

Sections 1 through 6 of the bill pertain to municipal budgets and tax revenues; sections 7 through 20 apply to county budgets and tax revenues. The intent of the bill was stated to be the clarification of how much of a county's budgeted funds arose from increased values of properties from one year to the next, and how much arose from the addition of new properties to the rolls.

The troubling part of the bill is the terminology used; anything which raises the amount of tax revenues is referred to as a tax increase. It seems that a more descriptive term would have been tax revenue increase, to distinguish revenues that result from property value changes from those that result from a tax rate change.

Department(s) Operations Impact:

Commissioners Court

Impact on Department Operations:

Court may be required to add public meetings to its annual agenda in order to meet the requirements of this bill. The Court certainly will be required to have two votes recorded when adopting the budget, the first involving approval of a motion to increase (or decrease or hold steady) the amount of tax revenues to be used to support the annual budget, a second vote to approve the actual detailed county budget.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	HB 3195	Author:	Hill
Effective Date:	9/1/2007	Sponsor:	Williams
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Management Services

Impact on Department Operations:

Management Services may be required to report details of the proposed annual budget that distinguishes any revenue increases which arose from property value increases as contrasted with those arising from newly added properties on the tax rolls used for the County's budget. Ideally, Management Services would also take care to distinguish budget revenues that arise as the result of appraised values in general from those that arise from an actual tax rate change or a change to the share of total revenues applied to specific uses.

Management Services does not anticipate additional operating costs arising from the changes called for in the implementation of this bill. Fiscal impact, if any, will be absorbed within current budgetary resources.

Department(s) Fiscal Impact:

Mgmt Services - Budget Services

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0
		Inc/(Dec) Operating Cost	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

The additional public meetings required to meet this bill's mandate will have some cost, though it is thought the costs will be minor. It is impossible to know whether every year will require additional public meetings.

Fiscal Notes, FY2009 and Beyond:

The additional public meetings required to meet this bill's mandate will have some cost, though it is thought the costs will be minor. It is impossible to know whether every year will require additional public meetings.

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 3270	Author:	Eiland Taylor Bonnen
Effective Date:	Effective Immediately	Sponsor:	Williams
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Does not apply

Caption

Relating to authorizing the issuance of anticipation notes or other obligations by issuers located along the Gulf Coast in the event of an emergency.

Bill Category

County Investments
 Disaster Assistance

This bill will have no fiscal impact on Harris County.

Code and Section

Government Code **Amends Section 1431.004, 5,6,7,9,12,16,17**

The bill would authorize the issuance of anticipation notes or other obligation by issuers located along the Gulf Coast in the event of an emergency. The bill would amend the Government Code to provide that an issuer may use the proceeds of an anticipation note or other obligation to pay salaries, lease of materials, demolition of dangerous structures, and other purposes to protect public health and safety.

Following authorization of an anticipation note the issuer would be required to submit to the attorney general a transcript of proceedings related to issuance of the anticipation note. If an emergency were to occur affecting the issuer, the attorney general would be required to expeditiously review and approve delivery of the anticipation note.

Department(s) Operations Impact:

Mgmt Services - Financial Services

Impact on Department Operations:

It is unlikely that Harris County would use the provisions afforded by this bill. In the event of financial need, Harris County would access the commercial bond market which would be much quicker (1 day versus 60 days) and more cost effective.

Bill Experts

Edwin Harrison (713) 755-6532 Discussion Mgmt Services - Financial Services

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 3439	Author:	Parker
Effective Date:	9/1/2007	Sponsor:	Jackson, Mike
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Mandated/No Fiscal Impact

Caption

Relating to county fiscal matters

Bill Category

Procedure Change - Mandated

This bill will have no fiscal impact on Harris County.

Code and Section

Local Government Code 83.007 added

The added section specifies that if a county has abolished the office of county treasurer, then any reference to the county treasurer in this or other affected sections of code falls to the person performing the functions normally reserved to a county treasurer.

Local Government Code 113.023 amended

Requires certain changes to the use of deposit warrants in keeping with generally accepted procedures for treasurer offices.

Local Government Code 113.062 amended

Allows rather than requires the county treasurer only to require the person or his agent who receives the payment or credit for the payment to acknowledge in writing on the face of the claim the receipt of such payment or credit.

Local Government Code 114.026 various amendments

Amends several subsections to impact the nature and timing of reporting of transactions, and the opening of the books, based on Commissioners Court meeting schedules.

Local Government Code 114.044 (a) amended

Requires county and district clerks, constables and sheriffs, district attorneys, county attorneys, justices of the peace, treasurers and county judges to at least monthly make a full report, supported by vouchers and receipts, to the commissioners court.

Local Government Code Various others

Amends certain sections to require the state comptroller to mail or electronically forward a warrant for payments due to the county treasurer, and authorizes the county treasurer (rather than the county) to establish and operate an electronic funds transfer system to make any authorized transfer from the county treasury.

Department(s) Operations Impact:

County Treasurer's Office

Impact on Department Operations:

The bill codifies procedures that have been in use for some time. The only apparent changes for Harris County will be that the Auditor Office may now get a detailed listing of deposits by the Treasurer rather than copies of receipts of those transactions.

Most of what is contained in this bill is already being done between the treasurer, the auditor, and the commissioners court.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 3439	Author:	Parker
Effective Date:	9/1/2007	Sponsor:	Jackson, Mike
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Mandated/No Fiscal Impact

Department(s) Fiscal Impact:

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0
		Inc/(Dec) Operating Cost	\$0
		Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

None

Fiscal Notes, FY2009 and Beyond:

None

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Linda Langlois (713) 755-5332 Discussion County Treasurer's Office

Other Notes:

None of the changes specified by this bill should have any tangible impact for the offices affected; there will be no substantive improvement of the means by which deposits of funds are recorded or conveyed to those with County oversight duties.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 3672	Author:	Bohac Bailey
Effective Date:	9/1/2007	Sponsor:	Ellis
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Caption

Relating to mobile food units in certain populous counties; providing a penalty.

Bill Category

Health and Safety
 Health and Human Services - Inspections

Code and Section

Health & Safety Code Adds Section 437.0074

MOBILE FOOD UNITS IN CERTAIN POPULOUS COUNTIES. (a) Requires a county with a population of at least 2.8 million, or a municipality or public health district in the county to require a mobile food unit (unit) to complete certain activities with regard to the daily servicing of the unit.

(b) Requires a county, municipality, or public health district that has installed an electronic tagging system to register and record confirmation that the unit has been serviced as required by Subsection (a)(1).

Penal Code Section 37.01(2),

Amends Section 37.01(2), Penal Code, to redefine "governmental record."

Department(s) Operations Impact:

Public Health & Env. Services

Impact on Department Operations:

Requires that mobile food units in Harris County return to the food service establishment or commissary from which it operates within the 24-hour period prior to operating the unit to have cleaning and other services performed. Requires that units obtain written documentation of the cleaning/servicing. Electronic documentation is permissible if an electronic tagging system has been installed. HCPHES requested and received two amendments – one permitting written documentation and another clarifying the time frame during which the mobile unit must return to the commissary.

Department(s) Fiscal Impact:

PHES-Environmental

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$8,206	\$16,411
	Inc/(Dec) Operating Cost	\$6,000	\$6,000
	Capital Expense	\$9,000	\$0
	Net Cost:	\$23,206	\$22,411
	Inc/(Dec) Revenue	\$3,000	\$5,000
	Net Fiscal Impact	(\$20,206)	(\$17,411)

Fiscal Notes, Remainder of Harris County FY2008:

Staff needed the first year to: investigate approximately 50 complaints regarding failure of mobile food establishments to return to a commissary (includes travel time, inspection, and issuing citation) and to attend court for citations issued during complaint investigations and routine inspections. Cost for an additional 240 hours at an average of \$34.19/hour/investigator is \$8206.

Equipment needed: 600 EZTag units at a cost of \$15 each is \$9000. Additional programming and start up costs



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 3672	Author:	Bohac Bailey
Effective Date:	9/1/2007	Sponsor:	Ellis
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

are estimated at \$6000.

Revenue from additional citations should be minimal (maximum penalty is \$200). For the remainder of Fiscal 2008, assume that 15 citations would be issued at \$200 each which is \$3000.

Equipment:

Fiscal Notes, FY2009 and Beyond:

Cost for 480 hours at an average of \$34.19/hour/investigator is \$16,411.

Assume that 25 citations would be issued annually at \$200 each which equals \$5000 in fines.

Total Change in FTE's:	0.360	Total Fiscal Impact	(\$20,206)	(\$17,411)
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Other Notes:

From Janet Lane, PHES: We are already understaffed (FDA recommends an average of 8 onsite inspection hours per establishment per year). We average 3 hours per establishment per year – i.e., roughly 3 one-hour inspections/establishment/year. We will be giving up 480 inspections to enforce HB 3672.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	HB 3732	Author:	Hardcastle Deshotel
Effective Date:	9/1/2007	Sponsor:	Averitt
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Caption

Relating to the implementation of advanced clean energy projects and other environmentally protective projects in this state

Bill Category

Appraisal Issues
 Environmental Issues

Code and Section

Government Code **447.013**

Health & Safety Code **382.003, 382.0566, 382.0567**

Tax Code **11.31, 26.045, 182.022, 202.0545**

The bill promotes pollution control and affordable electricity by providing ad valorem tax abatements for electric generating plants that meet certain environmental qualifications.

There is a fair amount of uncertainty over how this bill will be interpreted by the Texas Commission on Environmental Quality (TCEQ). The agency already had some authority to designate certain pollution control equipment as tax exempt. The author of HB 3732, Rep. Hardcastle, recently sent a letter to TCEQ to clarify the legislative intent of the bill. Rep. Hardcastle argues that the bill "clarifies, but does not alter, TCEQ's underlying legal authority . . ." On the other hand, an analysis by HCAD indicates that if TCEQ takes the "worst case" position in its rulemaking, the bill could cost the various Harris County taxing entities a total of \$4.6 million in annual tax revenue.

The Harris County Office of Legislative Relations, in conjunction with the Council of Urban Counties, has been working to minimize the bill's fiscal impact. It remains to be seen what the ultimate impact will be.

Department(s) Operations Impact:

Appraisal District

Impact on Department Operations:

PHES-Environmental

Impact on Department Operations:

Department(s) Fiscal Impact:

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0 \$0
		Inc/(Dec) Operating Cost	\$0 \$0
Change to FTEs:	0	Capital Expense	\$0 \$0
		Net Cost:	\$0 \$0
		Inc/(Dec) Revenue	\$0 (\$4,600,000)
		Net Fiscal Impact	\$0 (\$4,600,000)

Fiscal Notes, Remainder of Harris County FY2008:



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	HB 3732	Author:	Hardcastle Deshotel
Effective Date:	9/1/2007	Sponsor:	Averitt
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

None

Fiscal Notes, FY2009 and Beyond:

In the worst case scenario, this bill will cost the various Harris County taxing entities a total of \$4.6 million per year in lost ad valorem tax revenue.

Total Change in FTE's:	0	Total Fiscal Impact	\$0	(\$4,600,000)
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Bill Experts

Mike Austin	(713) 755-8171	Mgmt Services - Financial Planning
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Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill: [HJR 40](#) **Author:** Hochberg | Crabb | Branch | En
Effective Date: 1/1/2008 **Sponsor:** Hegar
Bill of Interest? **Last Action:** Enacted
Fiscal Impact? Yes **Mandated?** Unfunded

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Paul Bettancourt Assessor & Collector of Taxes
Sonya Aston (713) 368-2137 Discussion Assessor & Collector of Taxes

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 11	Author:	Carona
Effective Date:	9/1/2007	Sponsor:	Corte
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Caption

Relating to homeland security and protection of the public, including protections against human trafficking; providing penalties

Bill Category

Health and Safety
Disaster Assistance

Code and Section

Government Code 418.004 (10) through (14) added

In the section of Code dealing with Emergency Management, adds definitions for the following terms: 'local government entity', 'mutual aid', 'requesting local government entity', 'responding local government entity', and 'Texas Statewide Mutual Aid System'.

Government Code 418.1015 added

Designates the County Judge to be the Emergency Management Director for a county, and authorizes the Judge to appoint an Emergency Management Coordinator to conduct emergency management operations as necessary. Also delegates to the Judge from the Governor the emergency management duties of the Governor on an 'appropriate local scale'.

Government Code 418.107-c amended

Changes the language to clarify that one local government entity may request mutual aid from another either directly or using the state mutual aid system.

The remainder of the bill is largely taken up with immunization records, border security, and measures intended to prevent and punish crimes involving trafficking in humans.

Government Code 418.109 amended

The section title is changed to Authority to Render Mutual Aid Assistance, and subsection (d) is amended to authorize one local government entity or organized volunteer group to render assistance to another upon receipt of a request for such assistance.

Government Code 418.110 amended

Code is amended to permit (rather than require) state fire protection agencies and the Texas Commission on Fire Protection to develop a statewide mutual aid program for fire emergencies. Such a program does not alter the legal obligations of a participating political subdivision, and the program must be consistent with the statewide emergency management plan.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	SB 11	Author:	Carona
Effective Date:	9/1/2007	Sponsor:	Corte
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Government Code Subchapter E-1 added

The added section is titled, Texas Statewide Mutual Aid System, and its several sections detail the means by which mutual aid may be requested, the circumstances under which the entity requested to provide assistance is to provide assistance, and the means for requesting and determining the amount of reimbursement due the entity providing resources under a mutual aid request.

Other articles of this bill involve items that are not of direct consequence to counties for the most part, or are taken up in other legislation that was passed during the session and included in other summaries that are part of this report.

Department(s) Operations Impact:

Emergency Services

Impact on Department Operations:

The Emergency Services arm of the Fire Marshal Office will be the central cog in the County's evaluation of available resources for mutual aid assistance to other entities, and should it become necessary for the County to request mutual aid from another entity. The only fair assumption with regard to operations or fiscal impact is that no unreimbursed expense or permanent operating impact will result from a request made of Harris County for mutual aid assistance. In short, it is assumed that Harris County will only loan the use of resources that are in excess of those needed to tend to its own citizens' safety and security first.

Department(s) Fiscal Impact:

Emergency Services

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

While it is assumed there will be some interim costs for the loan of resources to a requesting city or county, it is thought that all costs will eventually be reimbursed under the terms of the Statewide Mutual Aid System. It is further thought that Harris County likely will receive numerous more requests for mutual aid than it makes to others. That may mean that, on balance and over time, there will be negative fiscal impacts from implementation of this bill. However, no estimates of costs nor reimbursements are yet possible to project.

Fiscal Notes, FY2009 and Beyond:

See the note for FY 2008.

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Elizabeth Love	713-439-6041	Discussion	Public Health & Environmental Services
Michael Montgomery	(281) 931-1085	Discussion	Fire & Emergency Services

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 61	Author:	Zaffirini
Effective Date:	Effective Immediately	Sponsor:	McClendon
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Does not apply

Caption

Relating to the performance of the functions of the governing body of a political subdivision in the event of a disaster

Bill Category

Commissioners Court - Option

This bill will have no fiscal impact on Harris County.

Port Authority

Special Districts

Code and Section

Government Code Sections 418.111 and 418.112 added

Bill adds sections allowing the governing board of any local political subdivision to establish at any time a plan for the continuity of functions of the political subdivision to be carried on in the event of a disaster declared by the president of the United States or the governor of Texas. The plan may specify how administrative duties are to be delegated from one person or office to another, establish orders of succession for performing essential functions, and establish meeting procedures for the governing body.

The second added section grants the governing body of a local government entity an exception to the normal requirement of a quorum when the entity is located in whole or in part within the boundaries of the disaster, and a majority of the members of the governing body are unable to be present at a meeting of the governing body due to the disaster.

Department(s) Operations Impact:

Commissioners Court

Impact on Department Operations:

All aspects of this bill apply to operations of the Commissioners Court in the event of a declared disaster affecting all or part of Harris County.

Hospital District

Impact on Department Operations:

This bill also will apply to the Hospital District Board.

Port Authority

Impact on Department Operations:

This bill applies equally to the Port Authority.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 61	Author:	Zaffirini
Effective Date:	Effective Immediately	Sponsor:	McClendon
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Does not apply

Special District Boards

Impact on Department Operations:

This bill applies equally to any Special District Board governing territory falling within the area of a declared disaster.

Department(s) Fiscal Impact:

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0
		Inc/(Dec) Operating Cost	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

John Barnhill	Discussion	County Attorney's Office
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Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	SB 237	Author:	Shapiro
Effective Date:	Effective Immediately	Sponsor:	Madden
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Unknown

Caption

Relating to the supreme court's adoption of rules on the electronic filing of documents in civil cases in justice of the peace courts.

Bill Category

Civil Court Procedure Change

Code and Section

Government Code **22.004**

Requires the Supreme Court to adopt rules governing the electronic filing in civil cases in justice of the peace courts (currently no provisions for electronic filing in civil, JP court cases).

Department(s) Operations Impact:

Justices of the Peace

Impact on Department Operations:

Rules must be in place by January, 2008, promulgated by the Supreme Court. It is anticipated that the rules will be the similar to those in place for the district and county civil courts. We also anticipate that for the average pro se litigant in the justice court, they will not make use of electronic filing. Until the rules are finalized, we are not able to compute the costs for programming the Justice Courts Information System to accommodate electronic filing.

Department(s) Fiscal Impact:

Justices of the Peace

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
	Capital Expense	\$0	\$0
	Net Cost:	\$0	\$0
	Inc/(Dec) Revenue	\$0	\$0
	Net Fiscal Impact	\$0	\$0

Fiscal Notes, Remainder of Harris County FY2008:

It is expected that the Justice Courts Information System will require some programming to accommodate electronic filing, but the extent of this effort won't be known until the rules are developed by the Supreme Court (must be in place by January, 2008). Again, depending on the rules, electronic filing has the potential to reduce clerical workload in the JP courts.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Janet Marton 713-755-7325 Email, Report, other County Attorney's office

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	SB 254	Author:	Ellis
Effective Date:	9/1/2007	Sponsor:	Dutton
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Does not apply

Caption

Relating to the sale of live animals in certain counties on a public highway or road, the right-of-way of a public highway or road, or a parking lot

Bill Category

Commissioners Court - Option

Code and Section

Transportation Code 285.001 amended

The bill adds to the authority of a commissioners court to regulate by order the sale of items on a public highway or road, the right of way of a public highway or road, or in a parking lot within the unincorporated area of a county with a population of at least 1.3 million: the prohibition now may include the sale of live animals.

This bill was at the behest of Harris County PH&ES, and is an effort to stop the unregulated sale of animals, especially pit bulls and similar breeds, within Harris County.

Department(s) Operations Impact:

PHES-Animal Control

Impact on Department Operations:

Public Health & Environmental Services Department -- Animal Control Division estimates that this bill will, at least initially, have little operations impact. The bill will allow Class C misdemeanor citations to be issued to violators of the revised law by either animal control or law enforcement officers. The citations will be heard in Justice Courts, and the County will receive all of the proceeds from ticket fines as they are paid.

It is likely that PHES - Animal Control will work with the County Attorney Office to revise its regulations pertaining to animal control. This may encourage or enable repeat offenses to eventually be punishable by a more substantive penalty.

Commissioners Court

Impact on Department Operations:

It is incumbent on the Court to approve an order prohibiting the sale of live animals in the areas specified by this bill. Once ordered, the PH&ES Department will be authorized to cite those conducting such sales.

Department(s) Fiscal Impact:

PHES-Animal Control

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$7,500
		Net Fiscal Impact	\$37,500

Fiscal Notes, Remainder of Harris County FY2008:

It is too early to know how many citations will be issued and how much fine money will be collected. What is expected is that both animal control and law enforcement officers will issue citations when they encounter clear



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 254	Author:	Ellis
Effective Date:	9/1/2007	Sponsor:	Dutton
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Does not apply

violations of the amended law while conducting routine duties. It is also expected that early on, the number of issued citations will be higher than the number issued later on, as those who are unaware of the law become aware that violators will be ticketed.

There are no plans to seize the animals that are offered for sale, so the only additional operating expenses that are anticipated are the costs of printing citation books for use with the revised regulations. If Animal Control were to have one budgetary wish, it is for additional funding to make and broadcast public service announcements that will publicize the new prohibition of animal sales along highways and roads, or in parking lots, and for publicizing proper animal care reminders to all animal breeders, sellers, and owners.

Assuming that the PHES - Animal Control section devises regulations for the enforcement of a prohibition, and those regulations are adopted by Commissioners Court, it is anticipated that the range of fines for violations will range between \$200 and \$500 per citation, with the fine amounts rising as the number of repeat violations mounts. It is impossible to calculate the likely sum of citation collections from these violations. However, the County will retain 100% of all fine revenue collected, with 10% of the court costs being shared by the JP and the county.

Fiscal Notes, FY2009 and Beyond:

Please see the FY 2008 fiscal note. It is estimated that citations totaling at least \$25,000 in fines, and perhaps as high as \$50,000, will be issued annually during the first 2 years of this program. It is hoped that rigid enforcement of the law will discourage the unregulated sale of live animals on the sides of roadways. Over time, it is assumed that this effort will drive those who wish to make such sales across county lines to counties that do not yet have the authority to prohibit such sales.

It is hoped that by calendar year 2009, when the legislature returns to regular session, there will pressure building in the less populous surrounding counties to press for the lifting of any population minima for a Commissioners Court order to prohibit the roadside sale of live animals.

Total Change in FTE's:	0	Total Fiscal Impact	\$7,500	\$37,500
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Bill Experts

Elizabeth Love	713-439-6041	Discussion	Public Health & Environmental Services
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Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 288	Author:	Nelson
Effective Date:	Effective Immediately	Sponsor:	Delisi
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Caption

Relating to the reporting of health care-associated infections at certain health care facilities and the creation of an advisory panel.

Bill Category

Health and Human Services

Code and Section

Health & Safety Code Subtitle D, Title 2, Chapter 98

SB 288 requires the Department of State Health Services (DSHS), not later than June 1, 2008, to establish the Texas Health Care-Associated Infection Reporting System, within the infectious disease surveillance and epidemiology branch of the department. The purpose of the reporting system is to provide for the reporting of health care-associated infections by health care facilities to the department, for the public reporting regarding these infections, and for the education and training of health care facility staff by the department. The reporting system shall provide a mechanism to collect data, at state expense, through a secure electronic interface with health care facilities.

Department(s) Operations Impact:

Hospital District

Impact on Department Operations:

Impact on current reporting systems:

- Developing data tools to meet report requirements
- No electronic surveillance system for downloading of any information required which will result in increase manual data collection and data entry
- Without district-wide implementation of the electronic medical record, manual data collection sources will be review of in-patient and out-patient medical records for post- discharge surveillance as required for surveillance data collection. This type of data collection is very time consuming.
- Review of each patient's laboratory results and other data sources for determining if infection criteria meets the definition of an infection which is time consuming.
- Developing a database that will electronically interface with the state health department for reporting outcome measures.
- Increases the need for storage files for data collection tools.

Currently, the SB 288 Reporting of Healthcare-Associated Infections will impact the BTGH & the LBJ facility. To meet this requirement, there will need to be reallocation or discontinuing of some current activities performed by the Infection Control Staff. Current staffing recommendations to meet this requirement is a staffing ratio of 0.8 to 1.0 ICP per occupied acute care beds. The additional required staffing needed for the LBJ, BTGH, & QM facilities will be an increase of five (5) FTEs Infection Control Coordinators and one (1) project assistant to perform data entry.

Issues in Implementing this bill:

Yes. Cost and resources to meet unfunded mandate. Currently, there is a shortage of experienced Infection Control Practitioners in the State of Texas. Hiring and training of Infection Control will be an issue.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	SB 288	Author:	Nelson
Effective Date:	Effective Immediately	Sponsor:	Delisi
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Public Health & Env. Services

Impact on Department Operations:

SB 288 will not impact HCPHES, as our clinics are not included and we don't perform any of the listed procedures.

One note - as written, the bill states that reports will go straight from health care facilities to the state through an electronic interface. If this is the case then we will not have any additional responsibilities placed on our department regarding reporting. However, if at some point reports end up passing through our hands (as they do for other notifiable conditions), we may have some increased costs due to staff time needed to receive, identify and transmit the reports to the correct place at the Department of State Health Services.

Department(s) Fiscal Impact:

Hospital District

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0 \$407,530
		Inc/(Dec) Operating Cost	\$0 \$0
Change to FTEs:	6	Capital Expense	\$0 \$0
		Net Cost:	\$0 \$407,530
		Inc/(Dec) Revenue	\$0 \$0
		Net Fiscal Impact	\$0 (\$407,530)

Fiscal Notes, Remainder of Harris County FY2008:

DSHS must establish reporting system by June 1, 2008. There is no impact in fiscal 2008.

Fiscal Notes, FY2009 and Beyond:

DSHS reporting system should become available by June 1, 2008, but we assume that personnel will be in place for all of fiscal 2009. The indirect cost rate of 22.75% is the average rate applicable to all Harris County Departments.

An additional five (5) FTE Infection Control Coordinators at a base salary of \$60,000 plus indirect costs of 22.75% equals \$73,650 per position, total of \$368,250 annually.

One project data assistant at a base salary of \$32,000 plus indirect costs of 22.75% equals \$39,280 annually.

Total Change in FTE's:	6	Total Fiscal Impact	\$0	(\$407,530)
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Other Notes:

Issues in Implementing this bill:

Yes. Cost and resources to meet unfunded mandate. Currently, there is a shortage of experienced Infection Control Practitioners in the State of Texas. Hiring and training of Infection Control will be an issue.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill: [SB 426](#) **Author:** West, Royce
Effective Date: Effective Immediately **Sponsor:** Hill
Bill of Interest? **Last Action:** Enacted
Fiscal Impact? Yes **Mandated?** Does not apply

Fiscal Notes, FY2009 and Beyond:

See the note for FY 2008.

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Sonya Aston (713) 368-2137 Discussion Assessor & Collector of Taxes

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 560	Author:	Ellis
Effective Date:	9/1/2007	Sponsor:	Hartnett
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Mandated/No Fiscal Impact

Caption

Relating to reimbursement for and counseling related to jury service.

Bill Category

Criminal Court Procedure Change
 Civil Court Procedure Change
 Commissioners Court - Option

Code and Section

Government Code 61.001

This section of the bill clarifies the reimbursement paid to jurors and also gives commissioner's court more flexibility to vary the amount of juror reimbursement by court type. This section also eliminates commissioner's court's option to not pay for the first day of jury service.

Code of Criminal Procedure 56.04

Section 6 of this bill allows a County Commissioner's Court to approve a program that would provide up to 10 hours of post-trial psychological counseling for jurors who serve in certain types of cases involving graphic testimony. Jurors can donate their juror pay to a fund that would be used to pay for this counseling - additional funding sources are not specified.

Government Code 61.003

This section amends the procedures for collecting and disbursing donated juror pay.

Department(s) Operations Impact:

District Clerk's Office

Impact on Department Operations:

This bill includes several sections that clarify functions already performed by Harris County. One change would allow jurors to spread donated juror pay among multiple beneficiaries which is expected to increase corresponding accounting efforts, although it can probably be accomplished within existing staff.

Section 6 of this bill allows Harris County Commissioner's Court to approve a program that would provide up to 10 hours of post-trial psychological counseling for jurors who serve in certain types of cases involving graphic testimony. The Harris County District Attorney's office reports that there are about 100 trials per year that would meet the requirements of this bill. With 12 jurors per case, there would potentially be 1,200 jurors who could request 10 hours of counseling, for a total of 12,000 hours of counseling. Current rates for this type of counseling range from \$75 to \$90 per hour. The total cost would depend on the utilization of such counseling. If 25% of the jurors request the full 10 hours of counseling, the total cost would be \$225,000 per year or \$450,000 at a 50% utilization rate. This bill does allow for the use of certain donated juror pay to fund the counseling.

Department(s) Fiscal Impact:

District Clerk's Office

	Impact to Harris County:	
	<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
Inc/(Dec) Staff Cost	\$0	\$0
Inc/(Dec) Operating Cost	\$0	\$0



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 560	Author:	Ellis
Effective Date:	9/1/2007	Sponsor:	Hartnett
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Mandated/No Fiscal Impact

Change to FTEs:	0	Capital Expense	\$0	\$0
		Net Cost:	\$0	\$0
		Inc/(Dec) Revenue	\$0	\$0
		Net Fiscal Impact	\$0	\$0

Fiscal Notes, Remainder of Harris County FY2008:

This bill should have little or no financial impact unless commissioner's court decides to implement a juror psychological counseling program. If that occurs, the annual cost could cost \$450,000 if 50% of the eligible jurors participated. That cost would be offset by any money donated by jurors and earmarked for that purpose.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Kathy Byers (713) 755-7560 Email, Report, other District Clerk's Office

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	SB 600	Author:	Duncan
Effective Date:	10/1/2007	Sponsor:	Hartnett
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Funded

Caption

Relating to compensation paid to statutory county court judges and certain court-related fees.

Bill Category

Fees/Courts/Mandatory/Amount Change
 Civil Court Procedure Change
 Other

Code and Section

Government Code 25.0005

Sets the salary for a statutory county court judge at no less than \$1,000 less than the total annual salary received by a district court judge in the county.

Government Code 25.0015

States that the state shall provide compensation to the county for each statutory county court judge in an amount equal to 60% of the state salary of a district court judge in the county.

Government Code 133.105

Increases the court cost from \$4 to \$6 for any conviction other than an offense relating to a pedestrian or the parking of a motor vehicle.

Local Government Code 133.154

Increases the fee for filing a civil suit in a district, statutory county, or county court from \$37 to \$42.

Government Code 51.702

Requires the clerk of a statutory county court to collect a \$40 filing fee for each civil case filed in that court (previously commissioners court had the option to assess this fee).

Government Code 25.016

Repeals the portion of code that specifies how excess contributions to the judicial fund are reimbursed to the county.

Department(s) Fiscal Impact:

County Courts

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0 \$0
		Inc/(Dec) Operating Cost	\$0 \$0
Change to FTEs:	0	Capital Expense	\$0 \$0
		Net Cost:	\$0 \$0
		Inc/(Dec) Revenue	\$184,000 \$368,000
		Net Fiscal Impact	\$184,000 \$368,000

Fiscal Notes, Remainder of Harris County FY2008:

Increases the compensation paid from the state judicial fund from \$35,000 to \$75,000 for the 19 statutory county court judges, for an annualized revenue increase of \$760,000.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 600	Author:	Duncan
Effective Date:	10/1/2007	Sponsor:	Hartnett
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Funded

Section 13 of this bill eliminates the provision for the state's reimbursement to Harris County for excess contributions to the judicial fund under Gov't Code 51.702. The amount of reimbursed excess contributions under 51.702 has averaged \$392,000 over the past two years.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$184,000	\$368,000
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Bill Experts

Bob Wessels	(713) 755-5394	Email, Report, other	Court Services - County (Wessels)
Debbie Smith	(713) 755-4424	Email, Report, other	Auditor's Office

Other Notes:

Fee increases under Local Gov't Codes 133.105 and 133.154 are expected to increase the annual amount that Harris County sends to the state judicial fund by over \$1.1 million (\$2 * 290,000 convictions + \$5 * 112,000 cases respectively). Because Harris County's portion of these fees does not increase (remains at \$.60 for each case under 133.105), and because excess judicial fund payments are not reimbursed to the County for these fees, these fee increases are not expected to have a financial impact on Harris County.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 618	Author:	Wentworth
Effective Date:	9/1/2007	Sponsor:	Hartnett
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Unfunded

Caption

Relating to the jurisdiction of and representation in the county, justice, and small claims courts in civil matters.

Bill Category

Civil Court Procedure Change

Code and Section

Government Code **26.042**

Changes the jurisdiction (concurrent jurisdiction with justice courts) of county court to include disputed matters up to \$10,000 (from \$5,000 previously).

Government Code **27.031**

Increases the potential amount in dispute in justice courts to \$10,000 (from \$5,000 previously).

Also states that a corporation doesn't need to be represented by an attorney in justice court.

Government Code **28.003**

Increases the potential amount in dispute in small claims courts to \$10,000 (from \$5,000 previously).

Department(s) Operations Impact:

Justices of the Peace

Impact on Department Operations:

Although there is no way to predict the number of additional JP filings as a result of this increase in jurisdiction, it is reasonable to assume that civil cases, where litigants are represented by attorneys, will increase. This may be a result of an overall increase in case filings, and possibly from a shifting of certain filings from county courts to the justice or small claims courts. If so, these cases will come with discovery requests and an additional motion practice, requiring more clerk time for processing, and more judge time for increased dockets.

County Courts

Impact on Department Operations:

The increased jurisdiction of justice and small claims courts may result in a shifting of certain cases from county courts to the JP's. Courts Management stated that the magnitude of this shift, if it occurs at all, is impossible to estimate. A shifting of cases could result in a reduced workload for county courts. Another possibility, however, is that many people would file cases in the justice courts with the full intent to appeal that case to the county courts should the original case fail, thus resulting in an overall increase in judicial effort for the county.

Department(s) Fiscal Impact:

Justices of the Peace

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0 \$0
		Inc/(Dec) Operating Cost	\$0 \$0
Change to FTEs:	0	Capital Expense	\$0 \$0
		Net Cost:	\$0 \$0
		Inc/(Dec) Revenue	\$0 \$0



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	SB 618	Author:	Wentworth
Effective Date:	9/1/2007	Sponsor:	Hartnett
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Unfunded

Fiscal Notes, Remainder of Harris County FY2008:	Net Fiscal Impact	\$0	\$0
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Although there is no way to predict the number of additional JP filings as a result of this increase in jurisdiction, it is reasonable to assume that civil cases, where litigants are represented by attorneys, will increase. This may be a result of an overall increase in case filings, and possibly from a shifting of certain filings from county courts to the justice or small claims courts. If so, these cases will come with discovery requests and an additional motion practice, requiring more clerk time for processing, and more judge time for increased dockets. Courts Management stated that they will monitor case filings, and using the staffing study results, advise accordingly.

Reportedly, the average cost to hear a comparable case would be about the same in a county vs. a JP court

More filings in justice and small claims courts will result in increased fees for these courts (\$25 filing fee).

Fiscal Notes, FY2009 and Beyond:

County Courts

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

The increased jurisdiction of justice and small claims courts may result in a shifting of certain cases from county courts to the JP's. Courts Management stated that the magnitude of this shift, if it occurs at all, is impossible to estimate. A shifting of cases could result in a reduced workload for county courts. Another possibility, however, is that many people would file cases in the justice courts with the full intent to appeal that case to the county courts should the original case fail, thus resulting in an overall increase in judicial effort.

Reportedly, the average cost to hear a comparable case would be about the same in a county vs. a JP court

Reduced filings in county courts will result in reduced fees for these courts (\$177 filing fee for new petitions although fees vary depending on type of case).

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Janet Marton	713-755-7325	Email, Report, other	County Attorney's office
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Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 792	Author:	Williams Brimer Carona
Effective Date:	Effective Immediately	Sponsor:	Smith, Wayne
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	

Caption

Relating to the authority of certain counties and other entities with respect to certain transportation projects and to comprehensive development agreements with regard to such projects; authorizing the issuance of bonds; providing penalties

Code and Section **This bill will have no fiscal impact on Harris County.**

Transportation Code **223.203, 227.023, 228.011, etc.**

This lengthy bill has numerous provisions related to transportation issues and toll roads. Chief among them is a requirement that TXDOT allow a county toll road authority to use the state's right-of-way without charging for access to the state's highways. Other provisions in the bill authorize Harris County to construct and operate at least 6 new toll facilities.

Department(s) Operations Impact:

Toll Road Authority

Impact on Department Operations:

This bill was part of the Harris County platform, and it is designed to have no cost for Harris County. The provision in the bill that prohibits the state from charging the county for toll road access to the state highway system is intended to codify the county's position that the state should not charge us a connection fee.

Impact on Department Operations:

The bill will allow HCTRA to continue building toll roads in Harris County and gives the county the right of first refusal as it relates to building toll roads in the county. This will have the effect of improving mobility for county residents.

Bill Experts

Cathy Sisk	713-755-7872	County Attorney's office
Edwin Harrison	(713) 755-6532	Mgmt Services - Financial Services

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 821	Author:	Wentworth
Effective Date:	9/1/2007	Sponsor:	Hartnett
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Does not apply

Caption

Relating to the use of certain excess contributions to the judicial fund that are remitted to certain counties.

Bill Category

Procedure Change - Optional

This bill will have no fiscal impact on Harris County.

Code and Section

Government Code 25.00213

Clarifies existing law to state that all or part of the salary of an associate probate court judge may be paid from excess judicial fund money that is placed in the excess contributions fund under Govt. code 25.00212.

Department(s) Operations Impact:

Probate Courts

Impact on Department Operations:

Makes salaries of associate probate court judges one of the qualified uses for excess judicial fund money. Because these funds could be applied to another probate court cost, no net financial benefit is realized by expanding the qualified uses of these funds.

Other Notes:

Harris County doesn't currently collect the \$40 filing fee under Govt. Code 51.704 but will be forced to do so under the terms of HB 2359, also enacted during this session.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 867	Author:	Duncan
Effective Date:	9/1/2007	Sponsor:	Pena
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Caption

Relating to procedures regarding criminal defendants who are or may be persons with mental illness or mental retardation.

Bill Category

Criminal Mental Health Stabilization
Criminal Justice Policy
Civil Mental Health Stabilization
Criminal Court Procedure Change

Code and Section

Code of Criminal Procedure

Provides that a magistrate is not required to order an examination of mental illness or retardation if the defendant in the year preceding the defendant's date of arrest has been evaluated and determined to have a mental illness or to be a person with mental retardation by the local mental health or mental retardation authority or expert.

A written report of the examination must be submitted to the magistrate not later than the 30th day after the day of any order of examination issued in a felony case and not later than the 10th day after the date of any order of examination issued in a misdemeanor case, and the magistrate must provide copies of the report to the defense counsel and the prosecuting attorney.

Code of Criminal Procedure adds Article 46B.0095

provide that a defendant may not be committed to a mental hospital or other inpatient or residential facility, ordered to participate in an outpatient treatment program, or subjected to both inpatient and outpatient treatment for a cumulative period that exceeds the maximum term provided by law for the offense for which the defendant was to be tried, except that if the defendant is charged with a misdemeanor and has been ordered only to participate in an outpatient treatment program under Subchapter D or E, the maximum period of restoration is two years beginning on the date of the initial order for outpatient treatment program participation was entered. On expiration of the maximum restoration period, the defendant may be confined for an additional period in a mental hospital or other inpatient or residential facility or ordered to participate for an additional period in an outpatient treatment program, as appropriate, only pursuant to civil commitment proceedings.

The bill provides that if a court orders the commitment of or participation in an outpatient treatment program by a defendant who is charged with a misdemeanor punishable by confinement and the defendant is not tried before the date of expiration of the maximum period of restoration as described by Article 46B.0095, Code of Criminal Procedure, the court on the motion of the state's attorney must dismiss the charge.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 867	Author:	Duncan
Effective Date:	9/1/2007	Sponsor:	Pena
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Code of Criminal Procedure

The bill also provides that subject to conditions reasonably related to assuring public safety and the effectiveness of the defendant's treatment, if the court determines that a defendant found incompetent to stand trial is not a danger to others and may be safely treated on an outpatient basis with the specific objective of attaining competency to stand trial and if an appropriate outpatient treatment program is available for the defendant, the court may release on bail a defendant found incompetent to stand trial with respect to a felony or may continue the defendant's release on bail, and is required to release on bail a defendant found incompetent to stand trial with respect to a misdemeanor or is required to continue the defendant's release on bail.

Code of Criminal Procedure

he bill provides that an order issued under Article 46B.072 or 46B.073, Code of Criminal Procedure, must place the defendant in the custody of the sheriff for transportation to the facility or outpatient treatment program, as applicable, in which the defendant is to receive treatment for purposes of competency restoration.

Department(s) Operations Impact:

Court Services - County (Wessels)

Impact on Department Operations:

Given the changes that this bill introduces to the process for mentally ill defendants, it is not known at this time how many defendants would actually be diverted from detention into an outpatient restoration program. The judges must ensure public safety and a well-defined treatment plan must be in place prior to release. There is a severe shortage of outpatient treatment options today and in the short term it is likely that very few defendants will be released for outpatient restoration.

MHMRA

Impact on Department Operations:

Senate Bill 867 may significantly impact the outpatient services for MHMRA. It is my understanding that Department of State Health Services (DSHS) has not indicated to the courts whether there will be a combination of Local Mental Health Authorities (LMHAs); local outpatient hospitals; and/or local private facilities approved by DSHS to provide the outpatient commitment restoration service. If the LMHAs are selected to provide this service, resources will be required in order to meet the conditions of the court order. Depending on the numbers, the LMHAs may need psychiatrists to initiate medications; nurses to administer medications; psychologist/caseworkers etc to handle the legal educational component related to competency; and the support staff, including transportation, to coordinate these services. I would assume that DSHS would provide the funding for the outpatient restoration services. If funding is not provided, this would intensify the problems with limited availability of outpatient services.

Update: A meeting is scheduled for 8/28/07 with DSHS to discuss a potential pilot program for outpatient competency restoration. Harris County is being considered as one of four locations to be chosen across the state.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 867	Author:	Duncan
Effective Date:	9/1/2007	Sponsor:	Pena
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Sheriff's Department - Detention

Impact on Department Operations:

We currently have 2 full time PhDs and 1 contract employee whose work output equals to another full time equivalent (FTE). Each position is capable of doing an average of 2 evaluations per day, based upon the recommendations from the Capacity for Justice Committee that provides the training for the Forensic certification. The process of an evaluation involves a review of the existing medical records and reports from the courts; the arrest information; any available psychiatric information and any information provided by the attorney. Following these reviews, the patient/detainee is clinically interviewed which could include psychological testing—a minimum of 2 to 3 hours. This brings us to the written report usually written the same day---provided there are no issues which require obtaining additional information from other pertinent sources. The total process for one person, if it is a “smooth case”, takes approximately 4 to 5 hours.

Currently, our 3 FTEs are completing all of the 548 referrals for competency and sanity evaluations within a 30-day time frame. Because of the change in the misdemeanor time frames, additional staff will be needed.

In reviewing the last 4 months (March – June) of data, we have received a total number of 548 court referrals for competency and sanity evaluations. I looked at which courts made the referrals (criminal vs. misdemeanor) and determined that 24% of these referrals originated from the misdemeanor courts. Taking the 24%, we can assume that 132 referrals for this 4 month period were the number of referrals which would need to meet the 10-day deadline. The monthly expectation would be the completion of 33 referrals with reports due within 10-days.

What complicates this picture further is the turnaround expectation from 30 days to 10 days for misdemeanor requests. These reports will now have to be done in 1/3 of the time. The staff would have approximately 5 to 7 working days instead of the full 10 days to complete the 33 reports. The 10 day time frame is actually decreased by loss of weekends and the day the court order was issued. Based on this projection, we could literally be required to complete 33 reports (165 hours per week) for the misdemeanor courts during a 5 to 7 day period. Each Psychologist works 40 hours per week. In order to meet this increase in demand, we would need approximately 4 psychologists to complete these reports just to meet the 10 day time frame.

In addition, I need you to remember that the courts use the 21-day process as a way of determining whether or not there is clinical evidence to believe that the defendant may not be competent. At present, we received a total of 532 referrals over the same time period, of which 31% (165 referrals) came from the misdemeanor courts. If the courts “choose” this new timeline over the 21-day process, this will add approximately 41.25 referrals monthly with 10 new reports due per week with 5 hours each to complete the reports. This means that 50 hours would be needed to handle this additional load resulting in one additional FTE psychologist. The use of the 10-day time frame would need to be clearly explained to the courts so that they do not replace the 21-day with the new 10-day expectation.

Thus, we are looking at needing 4 additional psychologist to complete the competency evaluations to meet the 10 day period (this does not include the one additional FTE that would be needed if the 21-day process is confused with this new law). This is an additional cost of approximately \$390,000 (\$75,000 salary plus 30% fringe).

There is a very serious shortage of qualified professionals to fill these positions if they were to be approved. As a result of being understaffed, and with expectations of a shorter turnaround time for misdemeanor cases, the timeframe for reports being issued to the courts would only grow longer.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	SB 867	Author:	Duncan
Effective Date:	9/1/2007	Sponsor:	Pena
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

Sheriff's Department - Detention

Impact on Department Operations:

The Sheriff's Department will possibly see an increased cost for the coordination and transporting of the additional inmates to an outpatient treatment facility.

Department(s) Fiscal Impact:

Sheriff's Department - Detention

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$195,000	\$390,000
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	4	Capital Expense	\$0
		Net Cost:	\$195,000
		Inc/(Dec) Revenue	\$0
	Net Fiscal Impact	(\$195,000)	(\$390,000)

Fiscal Notes, Remainder of Harris County FY2008:

In order to accomplish a 10 day turnaround for competency and sanity evaluations, four (4) additional psychologists would be needed. Base salary of \$75,000 plus 30% for benefits. There is a very serious shortage of qualified professionals to fill these positions if they were to be approved.

Fiscal Notes, FY2009 and Beyond:

MHMRA

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
	Inc/(Dec) Revenue	\$0	\$0
	Net Fiscal Impact	\$0	\$0

Fiscal Notes, Remainder of Harris County FY2008:

It is not known how the process and funding for outpatient competency restoration for misdemeanor cases will be accomplished. DSHS is considering four sites across the state for a pilot program and Harris County expected to be one of the sites. It is not possible to estimate the fiscal impact to the county at this time.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	4	Total Fiscal Impact	(\$195,000)	(\$390,000)
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Bill Experts

Marshall Shelsy	(713) 755-7734	Email, Report, other	County Courts
Rose Childs	(713) 970-3365	Email, Report, other	Mental Health & Mental Retardation Authority
Mona Jiles	(713) 755-7291	Email, Report, other	Mental Health & Mental Retardation Authority

Other Notes:

In order to accomplish a 10 day turnaround for competency and sanity evaluations, four (4) additional psychologists would be needed. Base salary of \$75,000 plus 30% for benefits. There is a very serious shortage of qualified



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 867	Author:	Duncan
Effective Date:	9/1/2007	Sponsor:	Pena
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Unfunded

professionals to fill these positions if they were to be approved.

It is not known how the process and funding for outpatient competency restoration for misdemeanor cases will be accomplished. DSHS is considering four sites across the state for a pilot program and Harris County expected to be one of the sites. It is not possible to estimate the fiscal impact to the county at this time.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 909	Author:	Whitmire
Effective Date:	Effective Immediately	Sponsor:	Madden
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Unfunded

Caption

Relating to the continuation and functions of the Texas Board of Criminal Justice, the Texas Department of Criminal Justice, and the Correctional Managed Health Care Committee, and to the functions of the Board of Pardons and Paroles.

Bill Category

Criminal Court Procedure--Sentencing & Punish
 Prison/Jail Overcrowding

Code and Section

Code of Criminal Procedure Articles 15.19-15.21

If an arrested person also has a parole violation warrant, the magistrate must notify the sheriff of the county where the parole violation occurred. The sheriff receiving such notice shall pick up the arrested person & take him before the proper magistrate or court before the 11th day after his arrest. If that sheriff doesn't pick the person up by the 11th day, the arrested person shall be discharged from custody.

Code of Criminal Procedure 42.09

States that a county transferring a defendant to TDCJ shall deliver a copy of the defendant's Texas Uniform Health Status Update Form if one has been prepared.

Code of Criminal Procedure 42.12 Section 15

Allows a judge to release a defendant convicted of a state jail felony to a medically suitable placement if:
 a) the judge determines that person isn't a threat to public safety, and
 b) TCOOMMI prepares a report showing the person to have a medical or mental condition requiring care, and
 c) TCOOMMI in cooperation with CSCD prepares a medically recommended intensive supervision program that ensures appropriate supervision by CSCD and requires the defendant to remain under the care of a physician and reside in a medically suitable placement.

Government Code numerous

Numerous provisions regarding the operation of BOPP and TDCJ. Notable in the bill is SECTION 42 that adds a section specifying the procedures for identifying parolees who can be released early from supervision.

Department(s) Operations Impact:

Court Services - District (Thompson)

Impact on Department Operations:

If an arrested person has a blue warrant for a parole violation in another county, this bill requires magistrates to notify the sheriff of the county where the violation occurred.

Community Sup. & Corrections

Impact on Department Operations:

Although this bill allows a court to order a person with medical or mental health needs to be placed on medically recommended intensive supervision to be supervised by CSCD, there is currently no funding and no program in place to handle such cases. As such, this is not expected to have an impact on CSCD until a funding source and corresponding caseload is established.



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	SB 909	Author:	Whitmire
Effective Date:	Effective Immediately	Sponsor:	Madden
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Unfunded

Sheriff's Department - Detention

Impact on Department Operations:

This bill requires HCSO to pick up parole violators within 10 days of being notified by a magistrate in another county that they have arrested somebody with a parole violation out of Harris County. If, however, HCSO doesn't pick up the parole violator within 10 days, the other county can release the person. This would also allow Harris County to release parole violators from other counties if the sheriff of that county doesn't pick up the prisoners within 10 days.

Requires HCSO to deliver a copy of the defendant's Texas Uniform Health Status Update Form, if one has been prepared, for the prisoners that the county transfers to TDCJ.

Department(s) Fiscal Impact:

Sheriff's Department - Detention

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

The bill could result in HCSO officers now traveling to other counties to pick-up Harris County blue warrants prisoners. There is no readily accessible data to estimate how many trips this would require.

The bill could also result in Harris County discharging prisoners with blue warrants from other counties, thereby reducing the jail population. Again, there is no readily accessible data to estimate how many prisoners this would be.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Marshall Shelsy	(713) 755-7734	Email, Report, other	County Courts
Kim Valentine	(713) 755-2706	Discussion	Community Supervision & Corrections
Debbie Schmidt	(713) 755-8084	Discussion	Sheriff's Department

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	SB 1119	Author:	Carona
Effective Date:	9/1/2007	Sponsor:	Murphy
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Mandated/No Fiscal Impact

Caption

Relating to the authority of a local authority to implement a photographic traffic signal enforcement system; providing for the imposition of civil penalties.

Bill Category

Transportation

Code and Section

Transportation Code **Chapter 707 (new)**

Authorizes and provides local governments with guidelines for establishing a photographic traffic control enforcement system, and provides penalties and enforcement mechanisms. 50% of the proceeds (after subtracting certain allowable expenses) would go to a Regional Trauma account and would be used primarily (96% of funding) for trauma care at state trauma facilities and to a much smaller extent (2% of funding) county and regional emergency medical services. This funding would be distributed among regional trauma centers in proportion to the amount of money that is deposited into the fund by the local authorities.

Department(s) Operations Impact:

Public Infrastructure Dept. (PID)

Impact on Department Operations:

Harris County PID staff reported no plans for the County to implement a photographic enforcement system.

Hospital District

Impact on Department Operations:

This bill could result in increased funding for the Hospital District as a result of the fines that are placed into the Regional Trauma Fund by other entities, most notably the City of Houston. The City generated roughly \$3 million from red light cameras between Sept. 2006 and May 2007. Given the large increase in installed cameras over the past several months, annual revenues will likely be much higher. Because this is a new program without historical revenue and cost statistics, the total revenues that will be placed in the Regional Trauma Fund and disbursed to the Hospital District are unknown, but could conceivably be several million dollars.

Department(s) Fiscal Impact:

Hospital District

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0 \$0
		Inc/(Dec) Operating Cost	\$0 \$0
Change to FTEs:	0	Capital Expense	\$0 \$0
		Net Cost:	\$0 \$0
		Inc/(Dec) Revenue	\$0 \$0
		Net Fiscal Impact	\$0 \$0

Fiscal Notes, Remainder of Harris County FY2008:

This bill could result in increased funding for the Hospital District as a result of the fines that are placed into the Regional Trauma Fund by other entities, most notably the City of Houston. The City generated roughly \$3 million from red light cameras between Sept. 2006 and May 2007. Given the large increase in installed cameras over the past several months, annual revenues will likely be much higher. Because this is a new program without historical revenue and cost statistics, the total revenues that will be placed in the Regional Trauma Fund and



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 1119	Author:	Carona
Effective Date:	9/1/2007	Sponsor:	Murphy
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Mandated/No Fiscal Impact

disbursed to the Hospital District are unknown, but could conceivably be several million dollars.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

King Hillier	(800) 436-6484	Discussion	Hospital District
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Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 1269	Author:	West, Royce
Effective Date:	9/1/2007	Sponsor:	Strama
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Does not apply

Caption

Relating to the performance of certain civil duties by officers in this state

Bill Category

Tort Claims

Code and Section

Civil Practice & Remedies Co

This bill specifies the duties of a constable when executing a writ, seizing, levying or selling property. The bill also limits the liability for failure to levy or sell property subject to execution to actual damages suffered and reduces the penalty for failure to deliver money. The bill stipulates that an officer receiving a writ of execution does not have a duty to search for property belonging to a judgment debtor; determine whether property belongs to a judgment debtor; determine whether property is exempt from the judgment; determine the priority of liens against the property subject to execution; or make multiple levies for cash or multiple levies at the same location.

The legislation also attempts to address an equity issue regarding the potential liability of constables and the counties. The problem with the potential liability was highlighted by a series of lawsuits filed against various counties and constables across the state of Texas in which the plaintiff sought recovery of the entire amount of the underlying judgment from the county and the constable for failing to properly execute their duties.

Department(s) Operations Impact:

County Attorney's Office

Impact on Department Operations:

There have been several cases statewide where constables have been found liable for not adequately collecting on a judgement, with one such case in Harris County. In the Harris County case, the original judgment against the constable was for the full amount of judgment (\$150,000), but was later reduced on post-judgment motion to approximately \$110,000 plus interest and costs; with the surety held jointly and severally liable. This case is currently on appeal.

By closing the "loophole", this bill should reduce the time the county attorney spends litigating future cases related to constable liability and should also eliminate any future payments from related lawsuits.

Department(s) Fiscal Impact:

County Attorney's Office

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0
		Inc/(Dec) Operating Cost	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

There have been several cases statewide where constables have been found liable for not adequately collecting on a judgement, with one such case in Harris County. In the Harris County case, the original judgment against the constable was for the full amount of judgment (\$150,000), but was later reduced on post-judgment motion to



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 1269	Author:	West, Royce
Effective Date:	9/1/2007	Sponsor:	Strama
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Does not apply

approximately \$110,000 plus interest and costs; with the surety held jointly and severally liable. This case is currently on appeal.

By closing the "loophole", this bill should reduce the time the county attorney spends litigating future cases related to constable liability and should also eliminate any future payments from related lawsuits.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Michael Hull	(713) 755-6497	Email, Report, other	County Attorney's Office
Marshall Shelsy	(713) 755-7734	Email, Report, other	County Courts

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 1306	Author:	Wentworth
Effective Date:	Effective Immediately	Sponsor:	Goolsby
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Does not apply

Caption

Relating to the attendance by a quorum of a governmental body at certain events under the open meetings law

Bill Category

Open Records/Meetings

This bill will have no fiscal impact on Harris County.

Code and Section

Government Code **551.001 (4) amended**

The bill adds "ceremonial event" and "press conference" to those gatherings of a quorum of a governmental body that are excluded from the definition of 'meeting'. The clarification should serve to limit the number of reported violations of the open meetings act.

Department(s) Operations Impact:

Commissioners Court

Impact on Department Operations:

There will be no impact, operationally or fiscally, resulting from this act.

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	SB 1404	Author:	Whitmire
Effective Date:	9/1/2007	Sponsor:	Van Arsdale
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Does not apply

Caption

Relating to criminal law hearing officers in certain counties.

Bill Category

Commissioners Court - Option
 Criminal Court Procedure Change

Code and Section

Government Code **54.856**

Gives a criminal law hearing officer in Harris County concurrent jurisdiction over criminal cases filed in justice courts. Prior to this bill, the hearing officer had limited jurisdiction that did not include hearing JP trials.

Department(s) Operations Impact:

Justices of the Peace

Impact on Department Operations:

This bill will allow Commissioners Court to appoint additional hearing officers to hear JP cases.

Department(s) Fiscal Impact:

Justices of the Peace

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0 \$0
		Inc/(Dec) Operating Cost	\$0 \$0
Change to FTEs:	0	Capital Expense	\$0 \$0
		Net Cost:	\$0 \$0
		Inc/(Dec) Revenue	\$0 \$0
		Net Fiscal Impact	\$0 \$0

Fiscal Notes, Remainder of Harris County FY2008:

No fiscal impact is anticipated, except to the extent that Commissioners' Court chooses to hire additional hearing officers to help with JP court workloads.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Janet Marton 713-755-7325 Email, Report, other County Attorney's office

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill: [SB 1405](#) **Author:** Wentworth
Effective Date: 1/1/2008 **Sponsor:** Keffer
Bill of Interest? **Last Action:** Enacted
Fiscal Impact? No/Insignificant **Mandated?** Unknown

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Sonya Aston (713) 368-2137 Discussion Assessor & Collector of Taxes

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	SB 1412	Author:	Hinojosa
Effective Date:	9/1/2007	Sponsor:	Gonzales
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Yes	Mandated?	Funded

Caption

Relating to certain fees collected by justice courts and small claims courts.

Bill Category

Fees/Courts/Mandatory/Amount Change

Code and Section

Government Code **101.141**

Increases the fee for services rendered before judgement from \$15 to \$25 in Justice Courts and from \$10 to \$25 in small claims courts.

Local Government Code **118.121**

Increases the fee for services rendered before judgement from \$15 to \$25 in Justice Courts and from \$10 to \$25 in small claims courts.

Department(s) Fiscal Impact:

Justices of the Peace

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$435,000
		Net Fiscal Impact	\$870,000

Fiscal Notes, Remainder of Harris County FY2008:

In calendar year 2006, there were 73,006 civil cases filed in justice courts along with 9,295 cases in small claims courts. Using these statistics, a \$10 fee increase in justice courts would result in additional annual fees of \$730,060 and a \$15 fee increase for small claims courts would result in additional annual fees of 139,425.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$435,000	\$870,000
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Bill Experts

Janet Marton 713-755-7325 Email, Report, other County Attorney's office

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 1413	Author:	Hinojosa
Effective Date:	9/1/2007	Sponsor:	Gonzales
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Mandated/No Fiscal Impact

Caption

Relating to the amount of a judgment that may be appealed or removed from justice court.

Bill Category

Civil Court Procedure Change

This bill will have no fiscal impact on Harris County.

Code and Section

Government Code 26.042

States that JP cases can only be appealed to County Courts if the amount in controversy exceeds \$250 (vs. \$20 currently).

Civil Practice & Remedies Co 51.001 and 51.002

States that JP cases can only be appealed to County Courts if the amount in controversy exceeds \$250 (vs. \$20 currently).

Department(s) Operations Impact:

Justices of the Peace

Impact on Department Operations:

Because there are very few cases where the amount in controversy is less than \$250, this change is not expected to have a material impact on the courts.

County Courts

Impact on Department Operations:

Because there are very few cases where the amount in controversy is less than \$250, this change is not expected to have a material impact on the courts.

Bill Experts

Janet Marton 713-755-7325 Email, Report, other County Attorney's office

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 1416	Author:	Hinojosa
Effective Date:	9/1/2007	Sponsor:	Gonzales
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Mandated/No Fiscal Impact

Caption

Relating to the amount of a judgment that may be appealed from small claims court.

Bill Category

Civil Court Procedure Change

This bill will have no fiscal impact on Harris County.

Code and Section

Government Code 28.052

Changes the required amount of dispute from \$20 to \$250 before a small claims case may be appealed to County Court.

Department(s) Operations Impact:

Justices of the Peace

Impact on Department Operations:

Because there are very few cases where the amount in controversy is less than \$250, this change is not expected to have a material impact on the courts.

County Courts

Impact on Department Operations:

Because there are very few cases where the amount in controversy is less than \$250, this change is not expected to have a material impact on the courts.

Bill Experts

Janet Marton 713-755-7325 Email, Report, other County Attorney's office

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
 Prepared by the Harris County Office of Budget Management

Bill:	SB 1499	Author:	Zaffirini
Effective Date:	Effective Immediately	Sponsor:	Corte
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Does not apply

Caption

Relating to the meeting notice that a governmental body may post in certain emergency situations

Bill Category

Open Records/Meetings

This bill will have no fiscal impact on Harris County.

Code and Section

Government Code **551.045 (e) added**

This act was inspired by the experiences of San Antonio and other locales that had a sudden and unforeseeable influx of evacuees from Houston and other places during the Hurricane Rita disaster. The added language allows emergency meetings of the commissioners court or other governmental entities provided at least one hour notice is given to the news media, and efforts are made to produce and distribute agendas and post notice at least two hours in advance.

Department(s) Operations Impact:

County Judge's Office

Impact on Department Operations:

Allows the open meeting act to be flexible when called for in dealing with accomodating a mass influx of refugees from a declared disaster elsewhere.

Department(s) Fiscal Impact:

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0 \$0
		Inc/(Dec) Operating Cost	\$0 \$0
		Capital Expense	\$0 \$0
		Net Cost:	\$0 \$0
		Inc/(Dec) Revenue	\$0 \$0
		Net Fiscal Impact	\$0 \$0

Fiscal Notes, Remainder of Harris County FY2008:

None

Fiscal Notes, FY2009 and Beyond:

None

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Cathy Sisk 713-755-7872 Discussion County Attorney's office

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SB 1951	Author:	Wentworth
Effective Date:	9/1/2007	Sponsor:	Hartnett
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	Maybe	Mandated?	Does not apply

Caption

Relating to the creation, operation, and officers of certain courts and juvenile boards.

Bill Category

Commissioners Court - Option
 New County Authority

Code and Section

Government Code **54.602**

Repeals Gov't Code Section 54.602, thereby allowing Harris County Commissioner's Court to authorize the judge of statutory probate courts 2 & 4 to appoint a person to act as an associate judge for that court (already Ok for courts 1 & 3). The rules governing Harris County's use of these associate judges are specified in subchapter G of Gov't code chapter 54.

Department(s) Operations Impact:

Probate Courts

Impact on Department Operations:

Allows Commissioner's Court to authorize Harris County Probate Courts 2 & 4 to appoint an associate judge. Each of these courts currently have a staff attorney who assists the judges. If given Commissioner's Court permission, it is these staff attorneys could be "promoted" to become Associate Judges, with a corresponding increase in authority. No new staff is expected as a result of this bill.

Department(s) Fiscal Impact:

Probate Courts

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
	Inc/(Dec) Staff Cost	\$0	\$0
	Inc/(Dec) Operating Cost	\$0	\$0
Change to FTEs:	0	Capital Expense	\$0
		Net Cost:	\$0
		Inc/(Dec) Revenue	\$0
		Net Fiscal Impact	\$0

Fiscal Notes, Remainder of Harris County FY2008:

The fiscal impact is expected to be the difference in compensation that is provided for two staff attorneys who could be "promoted" to become associate judges. The magnitude of this change depends on: a) whether commissioner's court approves the promotions, and b) what salary increase, if any, is approved. No new staff or other costs are anticipated.

Fiscal Notes, FY2009 and Beyond:

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Bob Wessels (713) 755-5394 Discussion Court Services - County (Wessels)

Other Notes: None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill:	SJR 13	Author:	Averitt
Effective Date:	1/1/2008	Sponsor:	Berman et al
Bill of Interest?	<input checked="" type="checkbox"/>	Last Action:	Enacted
Fiscal Impact?	No/Insignificant	Mandated?	Unfunded

Caption

Proposing a constitutional amendment authorizing the legislature to provide for a reduction of the limitation on the total amount of ad valorem taxes that may be imposed for public school purposes on the residence homesteads of the elderly or disabled to reflect any reduction in the rate of those taxes for the 2006 and 2007 tax years

Bill Category

Constitutional Amendments

This bill will have no fiscal impact on Harris County.

Code and Section

Constitutional Amendment

Amends the Constitution to allow the legislature to reduce the ad valorem tax rate applied to residential homesteads whose owners have applied for an elderly or disabled homestead exemption to a rate equivalent to the reduction provided homeowners without a homestead exemption.

The Amendment was passed during the election in May, and HB 5, the enabler of this Amendment, was signed into law by the Governor.

Department(s) Operations Impact:

Assessor & Collector of Taxes

Impact on Department Operations:

The calculations detailed on the tax bill sent to property owners will need to reflect the provisions of the Constitutional Amendment and the terms of HB 5. This is simply a change of calculation; no operational nor fiscal impact is anticipated for the Assessor & Collector of Taxes.

Appraisal District

Impact on Department Operations:

The Appraisal District will be required to honor the provisions of SJR 13 as passed, and HB 5 as enacted, when calculating the amount of public school taxes.

Department(s) Fiscal Impact:

Assessor & Collector of Taxes

		Impact to Harris County:	
		<i>Effective Date Thru-2/08</i>	<i>FY2009</i>
		Inc/(Dec) Staff Cost	\$0 \$0
		Inc/(Dec) Operating Cost	\$0 \$0
Change to FTEs:	0	Capital Expense	\$0 \$0
		Net Cost:	\$0 \$0
		Inc/(Dec) Revenue	\$0 \$0
		Net Fiscal Impact	\$0 \$0

Fiscal Notes, Remainder of Harris County FY2008:

None

Fiscal Notes, FY2009 and Beyond:

None



STATE OF TEXAS 80TH LEGISLATIVE SESSION - SUMMARY OF BILLS OF INTEREST
Prepared by the Harris County Office of Budget Management

Bill: [SJR 13](#) **Author:** Averitt
Effective Date: 1/1/2008 **Sponsor:** Berman et al
Bill of Interest? **Last Action:** Enacted
Fiscal Impact? No/Insignificant **Mandated?** Unfunded

Total Change in FTE's:	0	Total Fiscal Impact	\$0	\$0
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Bill Experts

Paul Bettancourt Assessor & Collector of Taxes
Sonya Aston (713) 368-2137 Discussion Assessor & Collector of Taxes

Other Notes: None