

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

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 18, 2009**

**TO:** Honorable Patrick M. Rose, Chair, House Committee on Human Services

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

**IN RE: SB277** by Nelson (Relating to the Department of Family and Protective Services, including protective services and investigations of alleged abuse, neglect, or exploitation for certain adults who are elderly or disabled; providing a criminal penalty.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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SECTION 2 of the bill would permit the Department of Family and Protective Services (DFPS) to obtain criminal history information about employees, applicants for employment, and volunteers with a contractor who will have access to confidential information. It would also expand the agency's ability to obtain FBI records on various individuals. DFPS estimates it would obtain FBI records for less than 12 individuals per year. There would be a minimal revenue gain to the state from this activity. DFPS and the Department of Public Safety indicate any cost to implement provisions of the bill would be minimal and can be absorbed within available resources.

**Local Government Impact**

SECTION 5 of the bill would increase from a Class B misdemeanor to a Class A misdemeanor the punishment for the offense of intentionally reporting false information under Chapter 48, Human Resources Code. The increase in revenue generated from the higher fines would depend on the number of offenses prosecuted and the discretion of the judge in imposing the fines, but is not expected to be significant. A county jail would incur costs associated with increased jail time per offender, but it is anticipated those costs could be absorbed within existing resources.

**Source Agencies:** 405 Department of Public Safety, 530 Family and Protective Services, Department of, 539 Aging and Disability Services, Department of

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