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FISCAL IMPACT REPORT

ORIGINAL DATE 2/11/16

SPONSOR Maestas **LAST UPDATED** _____ **HB** 265

SHORT TITLE Bench & Arrest Warrant Notifications **SB** _____

ANALYST Downs

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	See Fiscal Implications	See Fiscal Implications	See Fiscal Implications	See Fiscal Implications	See Fiscal Implications	See Fiscal Implications

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General’s Office (AGO)

Administrative Office of the District Attorneys (AODA)

Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

House Bill 265 does not contain an appropriation. The bill would require a court, upon issuing a bench or arrest warrant, to notify the sheriff’s office in the county where the court is located for entry into the National Crime Information Center (NCIC) database. The Court will also notify the district attorney’s office in the county where the court is located for notification of appropriate law enforcement agencies and relevant bonding companies.

FISCAL IMPLICATIONS

The Administrative Office of the District Attorneys (AODA) stated that costs will increase under the mandate to notify all law enforcement agencies, but did not specify an amount. The average cost per position in all district attorney offices statewide is \$72.1 thousand and at AODA, \$102.1 thousand. Though costs would not necessarily involve personnel, it is reasonable to assume additional staff would need to be hired to satisfy the obligation of immediate notification.

The Attorney General's Office (AGO) expressed concern that the bill proposes adding responsibility to courts, DAs, the AGO, law enforcement, and local sheriffs but does not contain additional funds for these procedural changes.

SIGNIFICANT ISSUES

The AGO stated that the bill is unclear on which entity notifies the district attorney's office. In section A the court notifies the sheriff, but in section B the district attorney notified "appropriate law enforcement agencies" which would include the sheriff. Further, the AGO stated that instead of using "appropriate law enforcement agencies," the proposal should provide more guidance on what should be deemed appropriate.

The AGO also expressed concern that the heightened responsibility on law enforcement to fund the person once notified of the warrant is not defined.

PERFORMANCE IMPLICATIONS

AODA stated, "Each entity required to give notifications will need to set up an internal procedure for providing those notifications. For the district attorneys, this will require a system for receiving notice, determining which local law enforcement agencies should be notified, determining if a bonding company needs to be notified, and providing the required notifications."

JD/jo