

Section 1

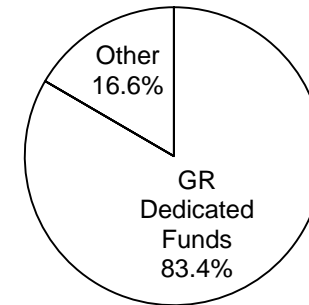
Commission on Law Enforcement
Summary of Recommendations - House

Page: V-36
Kim Vickers, Executive Director

John Wielmaker, LBB Analyst

Method of Financing	2014-15 Base	2016-17 Recommended	Biennial Change	% Change
General Revenue Funds	\$96,052	\$0	(\$96,052)	(100.0%)
GR Dedicated Funds	\$5,273,228	\$5,226,549	(\$46,679)	(0.9%)
<i>Total GR-Related Funds</i>	<i>\$5,369,280</i>	<i>\$5,226,549</i>	<i>(\$142,731)</i>	<i>(2.7%)</i>
Federal Funds	\$0	\$0	\$0	0.0%
Other	\$1,297,602	\$1,040,000	(\$257,602)	(19.9%)
All Funds	\$6,666,882	\$6,266,549	(\$400,333)	(6.0%)

RECOMMENDED FUNDING
BY METHOD OF FINANCING



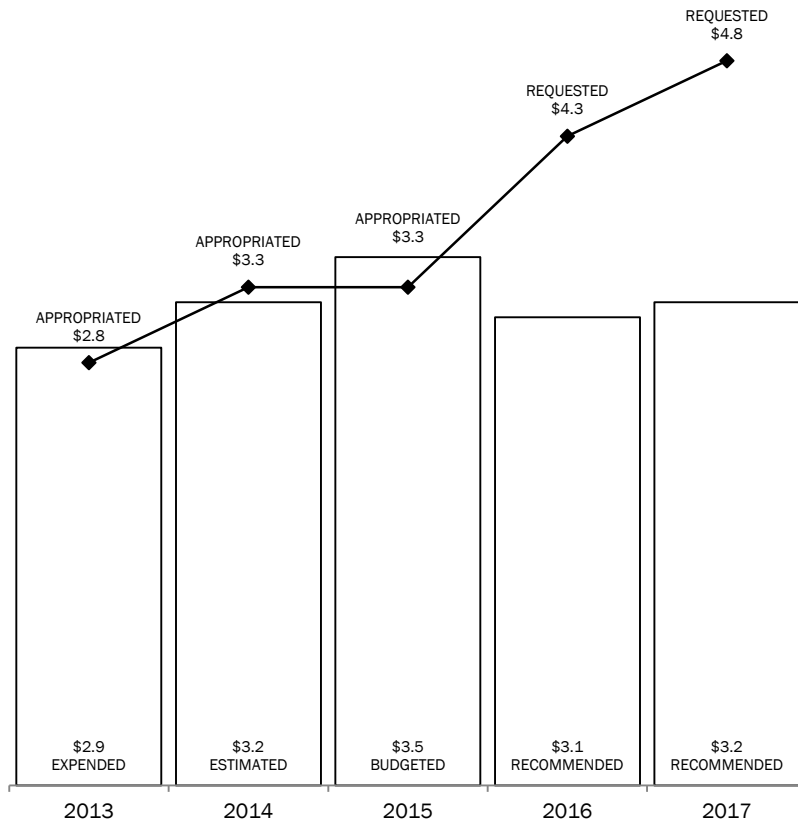
	FY 2015 Budgeted	FY 2017 Recommended	Biennial Change	% Change
FTEs	43.6	43.6	0.0	0.0%

The bill pattern for this agency (2016-17 Recommended) represents an estimated 100% of the agency's estimated total available funds for the 2016-17 biennium.

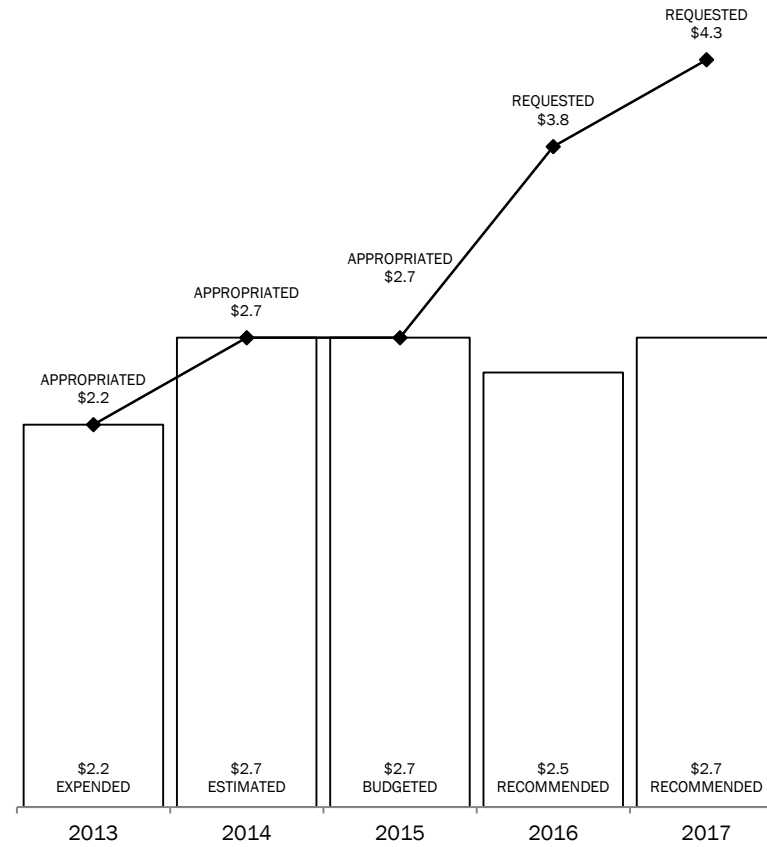
Section 1
Commission on Law Enforcement
2016-2017 BIENNIUM
 IN MILLIONS

TOTAL= \$6.3 MILLION

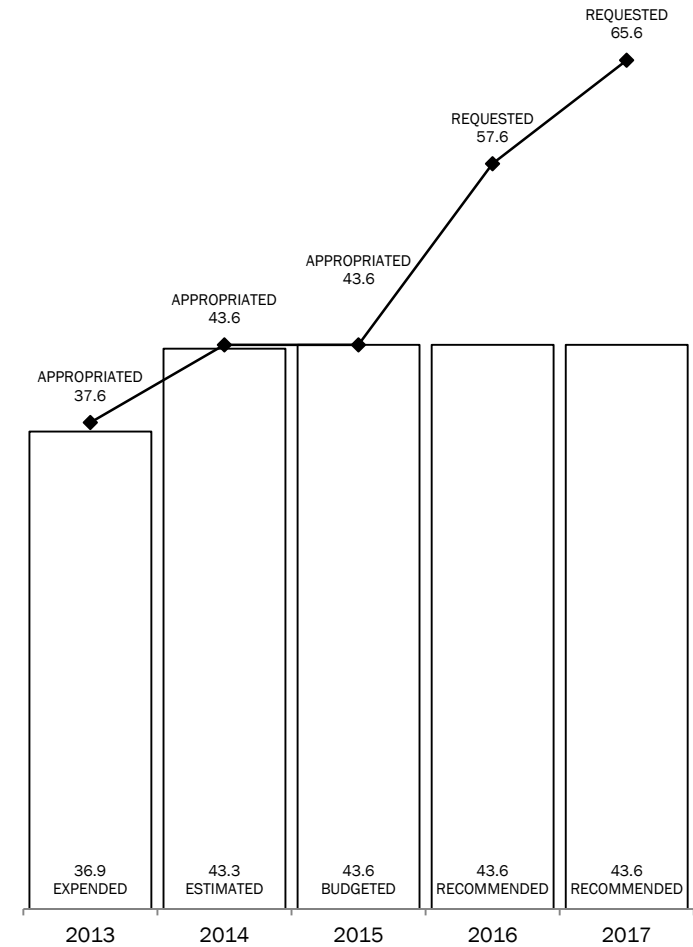
ALL FUNDS



**GENERAL REVENUE AND
 GENERAL REVENUE-DEDICATED FUNDS**



FULL-TIME-EQUIVALENT POSITIONS



Section 2

**Commission on Law Enforcement
Summary of Recommendations - House, By Method of Finance -- ALL FUNDS**

Strategy/Goal	2014-15 Base	2016-17 Recommended	Biennial Change	% Change	Comments
LICENSING A.1.1	\$2,054,294	\$1,944,352	(\$109,942)	(5.4%)	
STANDARDS DEVELOPMENT A.1.2	\$509,200	\$431,127	(\$78,073)	(15.3%)	
Total, Goal A, LICENSE AND DEVELOP STANDARDS	\$2,563,494	\$2,375,479	(\$188,015)	(7.3%)	
ENFORCEMENT B.1.1	\$1,677,103	\$1,576,062	(\$101,041)	(6.0%)	Recommendations replace all General Revenue Fund 01 (\$96,052) with an equal amount of GR-D Fund 116. See also Selected Fiscal and Policy Issues No. 1 for further detail. Recommendations also reflect cessation of a Governor's Criminal Justice Division grant (\$207,002) for two Field Service Agent FTEs. These FTEs assisted in helping the agency reduce its backlog of investigative cases.
TECHNICAL ASSISTANCE B.1.2	\$1,852,300	\$1,697,808	(\$154,492)	(8.3%)	Recommendations delete Rider 9, Critical Incident Seminars at Sam Houston State University and associated funding (\$90,000 per fiscal year). Note, there is a technical adjustment associated with this action. See also Selected Fiscal and Policy Issues No. 4 for further detail. Recommendations include \$250 in each fiscal year in GR-D Fund 5059, Texas Peace Officer Flag Account. GR-D Fund 5059 is used to purchase state flags for deceased peace officers. Collections are based on donations and are thus variable.
Total, Goal B, REGULATION	\$3,529,403	\$3,273,870	(\$255,533)	(7.2%)	
INDIRECT ADMINISTRATION C.1.1	\$573,985	\$617,200	\$43,215	7.5%	
Total, Goal C, INDIRECT ADMINISTRATION	\$573,985	\$617,200	\$43,215	7.5%	

Section 2

**Commission on Law Enforcement
Summary of Recommendations - House, By Method of Finance -- ALL FUNDS**

Strategy/Goal	2014-15 Base	2016-17 Recommended	Biennial Change	% Change	Comments
Grand Total, All Strategies	\$6,666,882	\$6,266,549	(\$400,333)	(6.0%)	<p>Recommendations include a \$37,269 increase in GR-D Fund 116 across the agency's strategies to biennialize the state employees salary increase adjustment made in the 2014-15 biennium.</p> <p>Total recommendations slightly decrease Appropriated Receipts (Other Funds) by \$40,600 to reflect the agency's estimated fee revenues.</p> <p>Note, the FY 2012-13 fee revenues were erroneously estimated, resulting in a revenue shortfall of \$0.3 million. The Eighty-second GAA authorized the agency to charge fees for voluntary law enforcement proficiency certifications to maintain the Distance Learning Program, which was then called the Police Officer Standards Education Internet Training system. The agency estimated this would have resulted in about \$0.3 million per year in additional fee revenue.</p> <p>However, to minimize the costs to law enforcement personnel, the agency opted to charge only for the cost of the physical certificates, rather than actual cost of the certification.</p> <p>The agency raised its fees in 2014-15, resulting in a revenue increase of \$0.3 million over the 2012-13 revenues. The slight decrease in estimated fee revenue in FY 2016-17 results from an assumed constant number of fee payers and a continuation of the agency's decision to charge fees for the actual cost of the certification, rather than only the cost of the physical certificates.</p>

Section 3a

Texas Commission on Law Enforcement Selected Fiscal and Policy Issues - House

1. **Method of Finance Swap:** Recommendations replace all General Revenue Fund 01 (\$96,052 in the 2014–15 base) with an equal amount of General Revenue-Dedicated Fund 116 (Law Enforcement Officer Standards and Education Fund). The Occupations Code §1701.156 requires that GR-D Fund 116 be the account used to fund TCOLE. GR-D Fund 116 receives a statutorily specified percentage allocation (5.0034 percent) of the total consolidated criminal court cost fees collected. The *Comptroller's Biennial Revenue Estimate for the 2016-17 Biennium* indicates the balance of GR-D Fund 116 at the end of fiscal year 2015 will be approximately \$23.3 million.
2. **Continuing Education Grants for Law Enforcement Officers:** Baseline recommendations for the Comptroller's Fiscal Programs include \$6.0 million per year to fund continuing education grants for law enforcement officers. Since fiscal year 2001, \$6.0 million per year in GR-D Fund 116 has been used to provide continuing education grants for city and county law enforcement departments. To preserve balances to address the budget shortfall, the Eighty-second Legislature did not appropriate funds for these grants in the 2012–13 biennium.

These grants are established under Occupations Code §1701.157, which requires the following: "...the comptroller shall allocate money deposited during the preceding calendar year in the general revenue fund to the credit of the law enforcement officer standards and education fund account for expenses related to the continuing education of persons licensed under this chapter...". Accordingly, appropriations for these grants historically have been made in the Comptroller's Fiscal Programs bill pattern (A.1.10. Strategy, Local Continuing Education Grants). Also, Local Government Code, §133.102 (f)(1), requires that 20 percent of the continuing education funds be allocated equally to all law enforcement agencies, and the remaining 80 percent be allocated to all local law enforcement agencies in a share proportionate to the number of law enforcement officers at each law enforcement agency. We wanted to provide you with this information since the Commission on Law Enforcement (TCOLE) is responsible for oversight of law enforcement officers and funding for law enforcement training is granted through the Comptroller's Fiscal Programs, and because the two agencies share General Revenue-Dedicated Fund 116.

Section 3b

**Texas Commission on Law Enforcement
FTE Highlights - House**

Full-Time-Equivalent Positions	Expended 2013	Estimated 2014	Budgeted 2015	Recommended 2016	Recommended 2017
Cap	37.6	43.6	43.6	43.6	43.6
Actual/Budgeted	36.9	43.3	43.6	NA	NA
Schedule of Exempt Positions (Cap)					
Executive Director, Group 2	\$ 88,000	\$ 93,443	\$ 93,443	\$ 93,443	\$ 93,443

The Presiding Officer of the Commission on Law Enforcement is requesting an increase in authority for the agency's Executive Director Exempt Position from \$93,443 to \$115,000 per fiscal year. This additional authority would represent a salary increase of \$21,557 (or 23.1 percent) per fiscal year. This Exempt Position received a \$5,443 salary increase in the Eighty-third Legislature.

The State Auditor's Office Report, Executive Compensation at State Agencies (Report No. 14-705, August 2014), indicates a market average salary of \$127,149 for the Executive Director position at the Commission Law Enforcement and recommends a change from the current Group 2 classification to Group 3.

Section 3c

**Texas Commission on Law Enforcement
Performance Measure Highlights - House**

	Expended 2013	Estimated 2014	Budgeted 2015	Recommended 2016	Recommended 2017
<ul style="list-style-type: none"> <i>Number of School Marshal Licenses Issued</i> <p><i>This new measure was added during strategic planning for the 2016-17 biennium to reflect the enactment of HB 1009, Eighty-third Legislature, Regular Session which created the school marshal category of law enforcement licensee. The agency's estimate is based on agency's experience licensing school marshals starting in January, 2014.</i></p>	0	6	12	200	200
<ul style="list-style-type: none"> <i>Number of Disciplinary Actions Taken</i> <p><i>The agency notes the significantly elevated targets in even years reflect the timing of the required training for licensees. Licensees may be subject to disciplinary actions for multiple reasons, but the majority of disciplinary actions come from licensees not completing their mandated training. Mandated training is described in Occupations Code 1701 and must be completed within a set timeframe. The required hours and/or courses must be completed within a training "unit". There is a unit every two years (e.g., FY 2014 and 2015 is a training unit). Because licensees have until the end of the two-year training unit to complete their training, any disciplinary actions resulting from not completing their mandated training would arise in the year after a training unit has concluded.</i></p>	157	866	700	500	130

Section 4

**Texas Commission on Law Enforcement
Performance Review and Policy Report Highlights - House**

Reports & Recommendations	Savings/ (Cost)	Gain/ (Loss)	Fund Type	Included in Introduced Bill	Action Required During Session
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NO RELATED RECOMMENDATIONS

Section 5

Texas Commission on Law Enforcement Rider Highlights - House

4. (Revised) **Appropriation: Licensing Fees.** Recommendations amend this rider to clarify focus of the rider is on licensing fees specifically.
7. (Revised) **Appropriation: Distance Learning Program.** Recommendations amend this rider to clarify the subject of the rider is the Distance Learning Program, formally known as the Police Officer Standards Education Internet Training program.
8. (New) **Appropriation: Conference, Seminar and Training Registration Fees.** Recommendations include a new rider to ensure all Appropriated Receipts appropriations are shown above the line.

Historically the agency's Method of Finance table included Appropriated Receipts amounts that were not referenced in the agency's riders. The 2006–07 and older General Appropriations Acts (GAA) included Appropriated Receipts as a Method of Finance, but did not include riders estimating Appropriated Receipts revenues. Starting in the 2008–09 GAA, Rider 3, Appropriation: Proficiency Certificate Fees, was included in the Appropriated Receipts totals. An additional rider, Appropriation of Receipts, was included in the 2012–13 GAA (Rider 7 as amended above).

House Bill 1 adds a new rider appropriating the Appropriated Receipts (Other Funds) amounts not included in existing Riders 3 and 7, so that the sum of the Appropriated Receipts referenced in the Method of Finance table equals the amounts cited in Riders 3, 7, and 8.

9. (Old) **Post Critical Incident Seminars at Sam Houston State University.** Recommendations delete this rider to reflect the recommendation not to continue funding for these seminars.

Section 6

**Commission on Law Enforcement
Items not Included in Recommendations - House**

	2016-17 Biennial Total	
	GR & GR- Dedicated	All Funds
Agency Exceptional Items - In Agency Priority Order		
1. Homeland Security- This item bundles the following three requests (6 FTEs total):	620,000	620,000
a) two additional investigators to work with the Department of Public Safety (DPS) in border security;		
b) three additional "civilian" compliance specialists to conduct oversight of law enforcement academies; and		
c) one attorney to serve as the agency's prosecutor.		
2. Investigation, Prosecution and Enforcement - process all complaints received, rather than only those complaints in final suspension action (8 FTEs)	941,500	941,500
3. Compliance and Grant Coordination - one human resources specialist and one grant specialist (2 FTEs).	182,000	182,000
4. Enhanced Field Service - three additional field audit agents and one administrative assistant to supplement the 8.0 FTEs currently conducting agency audits on each of Texas' 2,600 law enforcement agencies at least once every 5 years (4 FTEs).	441,000	441,000
5. Targeted Employee Retention - pay agency's 1.5% payroll benefits contributions and provide targeted pay raises.	189,250	189,250
6. Information Technology and Network Effectiveness - two information technology specialists and updates to four dated network systems (2 FTEs).	207,500	207,500
7. Interoperable Communications - replace agency's communications systems with multi-bandwidth systems currently used by DPS.	127,400	127,400

Section 6

**Commission on Law Enforcement
Items not Included in Recommendations - House**

	2016-17 Biennial Total	
	GR & GR- Dedicated	All Funds
<p>8. Authority for Executive Director Salary Increase - The Presiding Officer of the Commission on Law Enforcement is requesting an increase in authority for the agency's Executive Director Exempt Position from \$93,443 to \$115,000 per fiscal year. This additional authority would represent a salary increase of \$21,557 (or 23.1 percent) per fiscal year. This Exempt Position received a \$5,443 salary increase in the 83rd Legislature. See also Section 3b, FTE Highlights for more information.</p>	-	-
Total, Items Not Included in the Recommendations	\$ 2,708,650	\$ 2,708,650

Section 7

**Commission on Law Enforcement
Summary of 10 Percent Biennial Base Reduction Options - House**

Priority	Item	Description/Impact	Biennial Reduction Amounts				Included in Intro Bill?	
			GR and GR-Dedicated	All Funds	FTEs	Potential Revenue Loss		Reduction as % of Program GR/GR-D Total
1	Program Service Reductions	The agency states these reductions would negatively impact customer service and could result in a reduction of data repository agency services.	\$9,400	\$9,400		\$0	0.18%	No
2	Deferred Capital Maintenance	The agency states a ten percent reduction would eliminate all information technology purchases, including systems such as the agency's network and IT infrastructure. The agency states it would not have sufficient funds to ensure the integrity and stability of its critical IT systems. These funds are also used in other areas, such as maintaining and upgrading necessary systems in the agency (computers, software, and maintenance agreements). If these funds are reduced, the agency will not be in a position to ensure the availability of equipment and services necessary to allow staff to fulfill the agency's mission.	\$350,000	\$350,000		\$0	6.70%	No
3	Service Reductions	These reductions would negatively impact customer service and could result in an overall reduction of agency services. A hiring and salary freeze would be instituted and employees could possibly be laid off. Also, agency travel which is central to the agency's mission would be reduced.	\$168,398	\$168,398	0.5	\$0	3.22%	No
TOTAL, 10% Reduction Options			\$527,798	\$527,798	0.5	\$0		

Section 7

Commission on Law Enforcement
Summary of 10 Percent Biennial Base Reduction Options - House

Agency 10% Reduction Options by Category of Reduction

