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John Beauchamp, Interim Executive Director

Haley Ewing, LBB Analyst

Method of Financing	2022-23 Base	2024-25 Recommended	Biennial Change ($)	Biennial Change (%)
General Revenue Funds	$8,761,237	$14,799,233	$6,037,996	68.9%
GR Dedicated Funds	$144,849	$5,500	($139,349)	(96.2%)
Total GR-Related Funds	*$8,906,086*	*$14,804,733*	*$5,898,647*	*66.2%*
Federal Funds	$5,800,000	$0	($5,800,000)	(100.0%)
Other	$1,414,691	$1,365,500	($49,191)	(3.5%)
All Funds	**$16,120,777**	**$16,170,233**	**$49,456**	**0.3%**

|	FY 2023 Budgeted	FY 2025 Recommended	Biennial Change	Percent Change
FTEs	67.6	69.6	2.0	3.0%

Agency Budget and Policy Issues and/or Highlights

The Texas Commission on Law Enforcement (TCOLE) was under limited scope Strategic Fiscal Review (SFR) and limited Sunset Review this biennium.

Historical Funding Levels (Millions)
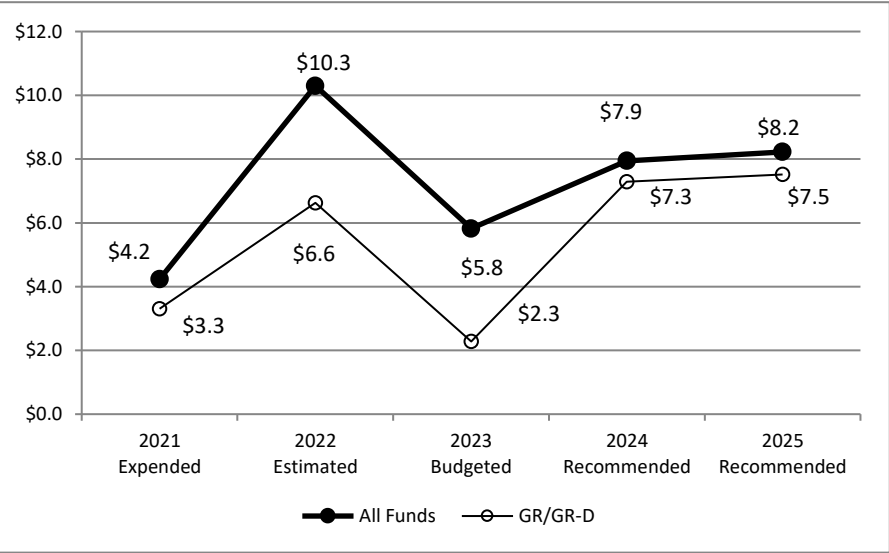
Historical Full-Time-Equivalent Employees (FTEs)

The bill pattern for this agency (2024-25 Recommended) represents an estimated 100.0% of the agency's estimated total available funds for the 2024-25 biennium.
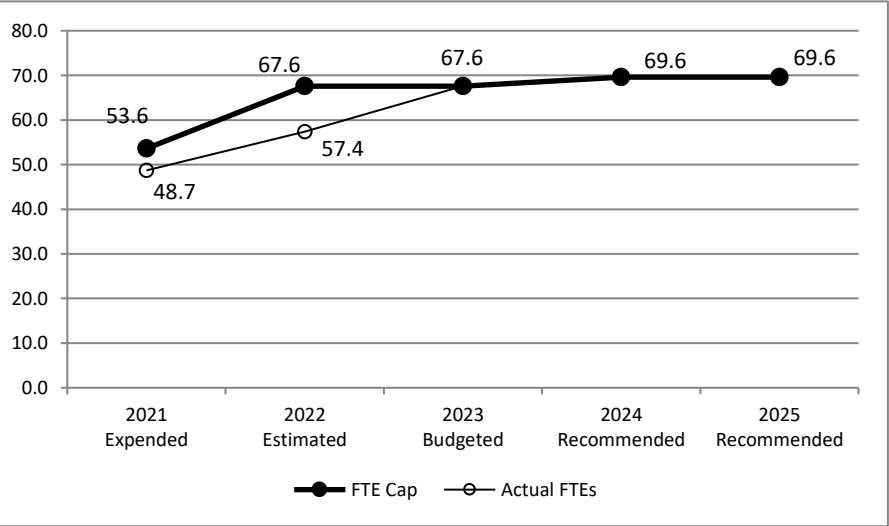
Commission on Law Enforcement
Summary of Funding Changes and Recommendations - Senate

	Funding Changes and Recommendations for the 2024-25 Biennium compared to the 2022-23 Base Spending Level (in millions)	General Revenue	GR-Dedicated	Federal Funds	Other Funds	All Funds	Strategy in Appendix A
	SIGNIFICANT Funding Changes and Recommendations (each issue is explained in Section 3 and additional details are provided in Appendix A):						
A)	Onetime purchase of Texas Commission on Law Enforcement Data Distribution System (TCLEDDS). See Section 3, page 4.	($3.6)	$0.0	$0.0	$0.0	($3.6)	A.1.1
B)	Replace General Revenue Dedicated Fund 116 with General Revenue.	$5.9	($5.9)	$0.0	$0.0	$0.0	All
C)	School Marshal program. See Section 3, page 4.	$1.3	$0.0	$0.0	($0.2)	$1.0	A.1.1
D)	Increase for Texas Law Enforcement Peer Network. See Section 3, page 4.	$1.3	$0.0	$0.0	$0.0	$1.3	B.1.2
	OTHER Funding Changes and Recommendations (these issues are not addressed in Section 3 but details are provided in Appendix A):						
E)	Increases for salary, rent, and professional services offset by decreasing onetime personnel expenses as well as salary study and consumable supplies.	($0.0)	($0.0)	$0.0	$0.2	$0.1	All
F)	General Revenue Dedicated and Federal Funds method of finance swap in Senate Bill 8, Eighty-seventh Legislature, Third Called Session, 2021.	$0.0	$5.8	($5.8)	$0.0	$0.0	All
G)	Data Center Services Funding	$0.5	$0.0	$0.0	$0.0	$0.5	A.1.1
H)	Increase for Salary Adjustments	$0.6	$0.0	$0.0	$0.0	$0.6	C.1.1, D.1.1
	TOTAL SIGNIFICANT & OTHER Funding Changes and Recommendations (in millions)	**$6.0**	**($0.1)**	**($5.8)**	**($0.0)**	**($0.0)**	As Listed
	SIGNIFICANT & OTHER Funding Increases	$9.7	$5.8	$0.0	$0.2	$15.6	As Listed
	SIGNIFICANT & OTHER Funding Decreases	($3.7)	($5.9)	($5.8)	($0.2)	($15.6)	As Listed

NOTE: Totals may not sum due to rounding.

Commission on Law Enforcement
Selected Fiscal and Policy Issues - Senate

1. **Strategic Fiscal and Sunset Limited Scope Review.** The Texas Commission on Law Enforcement (TCOLE) was under limited scope Strategic Fiscal Review (SFR) and Sunset Review in the 2022-23 biennium. The Legislative Budget Board SFR Report provides updates on previous findings, including the depletion of the General Revenue-Dedicated Account 116 and an IT infrastructure update.

   The Sunset Commission's decisions found Texas' approach to law enforcement behind the needs of the state. Sunset Commission recommendations included continuing TCOLE for 12 years and adopted several recommendations to improve the effectiveness of law enforcement regulation. The Sunset Commission did not adopt the staff recommendation to establish a blue ribbon panel but recommends requiring TCOLE to set and enforce standards for law enforcement agencies. The Commission also recommends eliminating discharge categories from F-5 separation forms and requiring agencies to check a national database in order to improve law enforcement hiring.

   Items in the SFR report include:
   - Agency staffing, which was addressed in the Eighty-seventh Legislature, Regular Session, 2021 when the agency was provided $1.3 million in General Revenue-Dedicated funds from Account 116 to fund an additional 6.0 FTEs for curriculum staff to oversee law enforcement training.
   - Turning the manual form submission process into an electronic system.
   - Changing the license expiration dates to match the continuing education dates as addressed in Senate Bill 785, Eighty-seventh Legislature, Regular Session, 2021.

2. **General Revenue-Dedicated Fund Account No. 116 Decreasing Fund Balance.** Recommendations include $5.8 million in General Revenue instead of GR-D Account No.116 to fund TCOLE in the 2024-25 biennium.

   In the past some TCOLE expenditures, as well as benefits and local law enforcement grants at the Comptroller of Public Accounts (CPA), have been funded with General Revenue-Dedicated Fund Account No.116. The revenue from this General Revenue-Dedicated account comes from consolidated court costs and professional fees. Revenues decreased from fiscal years 2016 to 2022 and are expected to continue to decline in the future because of reductions in court fees. Fiscal year 2022 revenues for Account No. 116 were $7.1 million while expenditures were $9.0 million. Senate Bill 8, Eighty-seventh Legislature, Third Called Session, 2021, provided $5.8 million in Federal Funds to Account No.116 to address the shortfall in court fee collections. The recommendation to provide General Revenue funding in lieu of funding from Account No.116 would prevent the fund from continuing to deplete.

3. **TCLEDDS Purchase.** The Sunset and Strategic Fiscal Reviews prepared for the Eighty-seventh Legislature both identified significant issues with TCOLE's licensing database system and its administration. House Bill 2, Eighty-seventh Legislature, Regular Session, 2021, appropriated $3.6 million in General Revenue Funds to end the vendor contract and purchase the Texas Commission on Law Enforcement Data Distribution System (TCLEDDS) outright from the database vendor. House Bill 2 also appropriated $1.0 million in General Revenue Funds and Senate Bill 1 appropriated 6.0 full time FTE positions to support TCLEDDS and other IT functions. The purchase was finalized in July 2022 and the database is now being administered by Commission staff.

   Not included in the recommendations is the agency's request of $1.8 million to upgrade the system and to ensure TCLEDDS is better prepared for state use and ownership (Exceptional Item 1). The funding requested would allow for the development of a public-facing licensee lookup and improve information delivery to the public as well as contribute to ongoing costs for transitioning TCOLE's network to DIR's Texas Private Cloud infrastructure. Recommendations do include $0.5 million for Data Center Services.

4. **School Marshal Program.** The agency administers the School Marshal Program, the purpose of which is to prevent serious bodily injury or murder on school grounds. House Bill 1009, passed in the Eighty-third Legislature, 2013, allowed public school districts to appoint School Marshals. The Eighty-fourth and Eighty-fifth Legislatures passed additional legislation to include two-year junior colleges and private schools in the list of institutions that can appoint School Marshals.

   After applying through TCOLE, a qualifying institution must send the candidate to an 80-hour training course, taught by law enforcement that includes training on physical security, use of force, active shooter response and more. As of December 2022, there are 282 licensed School Marshals.

   Recommendations include $1.3 million in General Revenue for the School Marshal Program in the 2024-25 biennium as well as two additional FTEs. This would cover 6 classes, training materials and psychological exams.

5. **Texas Law Enforcement Peer Network.** Senate Bill 64, Eighty-seventh Legislature, Regular Session, 2021, established a mental health peer network for law enforcement officers. TCOLE was authorized to contract with an institution of higher education with mental health or police training expertise and they elected to contract with the Caruth Police Institute (CPI) at the University of North Texas Dallas to operate the Network. Currently, the program provides a peer coordinator at three hubs, with each hub employing a full-time regional director. Once the peers are trained, they are available for services through a variety of platforms.

   Recommendations include $2.4 million in General Revenue for the Peer Network, which is $1.3 million more than the previous biennium.

Commission on Law Enforcement
Rider Highlights - Senate

Deleted Riders

11. **Study on Peace Officer Salaries.** Recommendations delete rider as the study has been completed.

		2024-25 Biennial Total			Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2026-27
		GR & GR-D	All Funds	FTEs			
Agency Exceptional Items Not Included (in agency priority order)							
1)	**Information Technology Resources:** Funding would ensure TCLEDDS is better prepared for state ownership and data system maintenance and the development of a public-facing licensee database.	$1,854,065	$1,854,065	3.0	Yes	Yes	$558,624
2)	**Employee Recruitment and Retention:** Funding to provide a salary increase for all TCOLE staff for parity. The increase would cover all employees at different percentages depending on job classification.	$4,431,636	$4,431,636	0.0	No	No	$4,121,358
3)	**Agency Operations and Legal Support:** Funding would add additional staff that are needed to manage existing workload.	$1,260,204	$1,260,204	7.0	No	No	$1,174,910
4)	**Fleet Vehicles:** Funding to purchase two vehicles for peace officers who are currently using their own vehicles.	$170,604	$170,604	0.0	No	No	$0
5)	**Executive Director Salary Request:** Funding and authority for ED salary increase to $163,428 in Group 4.	$40,262	$40,262	0.0	No	No	$40,262
TOTAL Items Not Included in Recommendations		$7,756,771	$7,756,771	10.0			$5,895,154

Commission on Law Enforcement
Appendices - Senate

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C	FTE Highlights	10

* Appendix is not included - no significant information to report

Commission on Law Enforcement
Funding Changes and Recommendations by Strategy - Senate -- ALL FUNDS

Strategy/Goal	2022-23 Base	2024-25 Recommended	Biennial Change	% Change	Comments
LICENSING A.1.1	$7,449,348	$5,112,375	($2,336,973)	(31.4%)	Recommendations include a GR/GRD decrease reflecting the onetime purchase of TCLEDDS for $3,630,777; this is partially offset by increase of $1,256,438 for the School Marshal Program and $515,005 for Data Center Services. Other decreases are from consumable supplies and other personnel expenses, as well as lower fee revenue as licensees will not be charged to submit information through TCLEDDS.
STANDARDS DEVELOPMENT A.1.2	$1,597,814	$1,242,208	($355,606)	(22.3%)	Recommendations reflect reductions in GR/GRD for travel ($196,000), other personnel costs, operating expenses, and consumable supplies. Other Funds decrease is due to a curriculum grant not continuing ($63,917).
Total, Goal A, LICENSE AND DEVELOP STANDARDS	**$9,047,162**	**$6,354,583**	**($2,692,579)**	**(29.8%)**	
ENFORCEMENT B.1.1	$2,305,489	$2,366,392	$60,903	2.6%	Recommendations reflect GR/GRD salary and rent increases. Full staffing is expected in the strategy for 2024-25 biennium.
TECHNICAL ASSISTANCE B.1.2	$4,023,277	$6,014,903	$1,991,626	49.5%	Recommendations reflect GR/GRD salary and rent increases ($208,940); the reduction for the Study on Peace Office Salaries is offset by capital expenditures. Other Funds increase is related to professional services and other operating expenses ($239,506) and increased revenue for a conference that did not occur in FY22 ($195,000). Recommendations also reflect an increase of $1,348,180 in General Revenue for the Peer Network.
Total, Goal B, REGULATION	**$6,328,766**	**$8,381,295**	**$2,052,529**	**32.4%**	

Commission on Law Enforcement
Funding Changes and Recommendations by Strategy - Senate -- ALL FUNDS

Strategy/Goal	2022-23 Base	2024-25 Recommended	Biennial Change	% Change	Comments
INDIRECT ADMINISTRATION C.1.1	$744,849	$796,924	$52,075	7.0%	Recommendations reflect GR/GRD salary and rent increase. Full staffing is expected in the strategy for 2024-25 biennium.
Total, Goal C, INDIRECT ADMINISTRATION	**$744,849**	**$796,924**	**$52,075**	**7.0%**	
SALARY ADJUSTMENTS D.1.1	$0	$637,431	$637,431	100.0%	Recommendations reflect increase for salary adjustments.
Total, Goal D, SALARY ADJUSTMENTS	**$0**	**$637,431**	**$637,431**	**100.0%**	
Grand Total, All Strategies	**$16,120,777**	**$16,170,233**	**$49,456**	**0.3%**	
					Recommendations also reflect Method of Finance swaps and rent increase across all strategies.

Commission on Law Enforcement
FTE Highlights - Senate

Full-Time-Equivalent Positions	Expended 2021	Estimated 2022	Budgeted 2023	Recommended 2024	Recommended 2025
Cap	53.6	67.6	67.6	69.6	69.6
Actual/Budgeted	48.7	57.4	67.6	NA	NA

Schedule of Exempt Positions (Cap)					
Executive Director, Group 4	$136,649	$136,649	$136,649	$141,081	$145,513

Notes:

a) Fiscal years 2021 and 2022 actual FTE figures are less than the FTE cap due to staff vacancies.

b) The State Auditor's Office is the source for the Fiscal years 2021 and 2022 actual FTE levels.

c) The State Auditor's Office Report, Executive Compensation at State Agencies (Report No. 22-706, August 2022) indicates a market average salary of $145,513 for the Executive Director position at the Texas Commission on Law Enforcement. The report also recommends keeping the salary classification as Group 4. The Commission is requesting authority and General Revenue to increase the Executive Director salary to $163,428.