

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 31, 2003

TO: Honorable Terry Keel, Chair, House Committee on Criminal Jurisprudence

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB1298 by Riddle (Relating to the ability of a court to retain jurisdiction over a person placed on community supervision who absconds.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to authorize a court to retain jurisdiction over a person placed on community supervision who absconds. The court would also be authorized to hold a hearing to proceed with an adjudication of guilt, regardless if the supervision period imposed has expired, if the court issues a warrant for violation of conditions of community supervision prior to the expiration date. Additionally, the court would be authorized to revoke, continue, or modify community supervision under those same circumstances.

The bill would take effect immediately if it receives a two-thirds vote in each house; otherwise, it would take effect September 1, 2003 and would apply to a hearing that commences on or after the effective date regardless of when the defendant was placed on community supervision.

Costs associated with issuing warrants and holding hearings would be insignificant. If a court modifies or continues community supervision, the community supervision and corrections department would continue to list the absconder as on "indirect supervision," and not incur new costs. If the court revokes community supervision of an absconder, the local jail would incur costs only upon the capture or voluntary surrender of the defendant, if the defendant is ordered to serve a sentence in the county jail. The Texas Department of Criminal Justice would incur costs only upon the capture or voluntary surrender of the defendant, if the defendant is sentenced to confinement in the institutional division or in a state jail.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JK, WK, JB, DLBa