

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 27, 2003

TO: Honorable Ray Allen, Chair, House Committee on Corrections

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB1715 by Hodge (Relating to the release on parole or mandatory supervision of certain inmates and to the supervision of persons on parole or mandatory supervision.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code by requiring that the parole policy board adopt a policy establishing the date on which the parole board may reconsider for release an inmate who has previously been denied release. The policy set by the board would require the board to reconsider for release inmates ineligible for mandatory supervision at any time after the first anniversary of the date of denial and before the fifth anniversary of the date of denial. The policy board of the Board of Pardons and Paroles would be required by the bill to adopt the reconsideration policy not later than January 1, 2004. The Texas Department of Criminal Justice has determined that the cost of implementing this provision would not be significant.

The bill would also have a parole panel establish a release date not earlier than the 180th day after, and not later than the second anniversary of, the date on which a releasee is returned to imprisonment following revocation of parole or mandatory supervision for a technical violation of a condition of release. The provision would not apply to releasees ineligible for mandatory supervision. Fiscal year 2002 data from the Texas Department of Criminal Justice indicates that technical revocations served an average of 1.1 years in prison before re-release. Approximately 10% of the technical revocations served more than two years in prison prior to re-release and approximately 25% served less than 180 days in prison prior to re-release. For the purposes of this analysis it is assumed that savings, or cost, to the State from this provision would not be significant.

The bill would specify procedures for early termination of parole supervision. The parole division would be allowed to recommend to the Board of Pardons and Paroles termination for parolees who have successfully served more than five years on parole, or who have served 2/3rds of their entire sentence. The parole division has estimated that there are 3,901 offenders who have successfully served more than 5 years, are under minimum supervision, and were not convicted of sexual or assaultive offenses. Potential savings from this section of the bill would depend on the extent to which early termination of parole supervision is utilized.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

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