

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 8, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB1965 by Uresti (Relating to the revocation process for releasees who violate conditions of release on parole or mandatory supervision.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1965, As Introduced: a negative impact of (\$14,660,362) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

| Fiscal Year | Probable Net Positive/(Negative) Impact to General Revenue Related Funds |
|-------------|--------------------------------------------------------------------------------|
| 2004 | (\$8,342,255) |
| 2005 | (\$6,318,107) |
| 2006 | (\$6,320,291) |
| 2007 | (\$6,547,537) |
| 2008 | (\$6,547,537) |

All Funds, Five-Year Impact:

| Fiscal Year | Probable Savings/(Cost) from <i>GENERAL REVENUE FUND</i> 1 | Change in Number of State Employees from FY 2003 |
|-------------|------------------------------------------------------------------|-----------------------------------------------------|
| 2004 | (\$8,342,255) | 155.0 |
| 2005 | (\$6,318,107) | 155.0 |
| 2006 | (\$6,320,291) | 155.0 |
| 2007 | (\$6,547,537) | 155.0 |
| 2008 | (\$6,547,537) | 155.0 |

Fiscal Analysis

This bill would amend the Government Code relating to releasees who violate conditions of release on parole or mandatory supervision. The bill would require that a hearing be held not later than the 9th day after the date on which the warrant is executed. Current policy requires the hearing process be completed before the 61st day after the warrant is executed. The bill would also require that a parole panel make a decision not later than the 10th day after the conclusion of the hearing. The panel would be required to notify immediately the parole officer supervising the releasee of the panel's decision.

The bill would also amend Section 508.282, Government Code, by requiring that the parole panel, designee of the board or the department dispose of the charges against a person before the 10th day after the date on which a parole panel makes a decision. The provisions of the bill would not apply when the inmate or person is in custody in another state or a federal correctional institution. The bill

would also change the time period that a sheriff would have to notify the Department of Criminal Justice of the intended release or transfer of a person from ten (10) days to 48 hours.

The bill would take effect September 1, 2003.

Methodology

The Department of Criminal Justice indicates that compression of the hearing process to such a degree would necessitate hearings be convened 7 days a week. As required by the bill, all cases with pending charges will be referred to the administrative hearing process. Based on this assumption the board would need to employ an additional 155 positions, which would include: 100 Case Manager II positions, 14 Parole Officer III positions, 5 Administrative Technician III positions, 20 Clerk III positions, and 16 Parole Officer IV – Hearing Officers. Salaries and wages for the 155 additional positions would be \$4,136,968 for fiscal year 2004. Also included in the total cost for fiscal year 2004 would be \$883,000 in other operating expenses, \$2,144,150 in equipment, \$756 in hazardous duty pay, and \$1,177,381 in employee benefits. Employee retirement, group insurance and other benefits are estimated at 28.46% of salary.

Included in the estimate is \$185,050 for a one-time capital expense for the Board of Pardons and Paroles, consisting of: eighteen (18) additional high volume scanners at \$109,000, retrofitting existing file servers for additional storage capacity costing \$6,050, and the procurement of software for a suitable database package at \$20,000. The project would also require a short-term contractor or consultant services to implement the database solution, estimated at \$50,000.

Technology

Technology costs, as detailed above, would total \$185,050 in fiscal year 2004.

Local Government Impact

In fiscal year 2001, technical parole violators waited an average of 40 days from execution of the warrant to revocation disposition. The reduction in time between warrant issuance and disposition will mean less time in county jails and will result in cost savings to local government.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JK, JO, WK, VDS, GG, KG