

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 16, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB3335 by Capelo (Relating to the time allowed for disposition of certain charges regarding a violation of parole or other forms of release from prison.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code by not allowing a person more than one continuance of a hearing for disposal of charges regarding the violation of parole or mandatory supervision conditions. The bill would also shorten the time for the completion of proceedings surrounding the decision of a parole violation from the 61st day following the issuance of a warrant to the 31st day following the issuance of a warrant. The bill would also shorten the time for the completion of proceedings for persons receiving continuances from 30 days to 7 days.

The Board of Pardons and Paroles and the Texas Department of Criminal Justice did not indicate an additional cost to the state for shortening the time between execution of a warrant and revocation disposition, or for limiting continuances. However, the Board of Pardons and Paroles indicated that they would incur a one-time capital cost for high volume scanners and database services in order to process the warrants before the 31st day following an issued warrant. It is assumed that the additional cost for high volume scanners and database services could be absorbed within the current resources of the Texas Department of Criminal Justice.

Local Government Impact

In fiscal year 2001, technical parole violators waited an average of 40 days from execution of the warrant to revocation disposition. Both the reduction in time between warrant and issuance and revocation disposition, and the limit on continuations, will mean that persons awaiting revocation dispositions will spend less time in county jails and will result in cost savings to local government.

Source Agencies: 696 Department of Criminal Justice, 212 Office of Court Administration, Texas Judicial Council

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