

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 18, 2005

TO: Honorable Jerry Madden, Chair, House Committee on Corrections

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB1760 by Phillips (Relating to facilities requirements for county jails.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Local Government Code to reduce the minimum size requirement for a county jail cell, for another housing area or day room in the county jail, and for each prisoner's bunk bed. The bill would take effect September 1, 2005.

Local Government Impact

If an existing county jail were to reduce the size of cells and day rooms, it is assumed the change could occur by either retrofitting the existing space or, if existing space were to support it, by housing more inmates within existing space without retrofitting. It is assumed a county jail would take either of those actions only if additional jail space is needed, which would be a less expensive alternative than building new space or contracting for bed space elsewhere.

If a county were to build a new jail using the proposed minimum dimensions, it is assumed construction costs would be less than under existing standards because the overall facility size would be smaller.

All but one of the county sheriffs who responded to a request by the Legislative Budget Board for fiscal data indicated that none would change the size of cells, day rooms, or bunk beds, and would therefore experience no fiscal impact as a result of enactment of the bill. However, the Sheriff in Grayson County indicated that he would reduce the sizes of space and beds to the new proposed minimums, although he did not indicate how the change would be implemented or the fiscal impact of the change. It is assumed the county would make changes that could be absorbed within its budget.

Source Agencies: 409 Commission on Jail Standards

LBB Staff: JOB, KJG, VDS, DLBa