

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 28, 2005

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

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

IN RE: HB2791 by Hodge (Relating to the use of substance abuse treatment facilities and other community corrections facilities for individuals referred for treatment as part of a drug court or similar program.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code and the Code of Criminal Procedure to make changes relating to community corrections facilities and substance abuse treatment. The bill would allow referrals to community corrections facilities and drug court treatment programs under the Treatment Alternatives to Incarceration Program (TAIP). The Texas Department of Criminal Justice (TDCJ) would be required to treat individuals referred by drug court programs in Substance Abuse Felony Punishment Facilities (SAFPF), and the Board of Criminal Justice would be allowed to modify the SAFPF program to treat individuals not on community supervision. Local judicial districts would be required to treat individuals referred by drug court programs in community corrections facilities.

Nine Texas counties operate drug courts. During fiscal year 2004, the cost-per-day for a SAFPF placement was \$47.66, and the cost-per-day for a community corrections facility placement ranged from \$45.51 to \$73.49, depending upon the type of facility. This fiscal analysis assumes that any increase in SAFPF or community corrections facility placements would be handled by existing facilities. To the extent that drug court judges choose to use community corrections facility and SAFPF placements, the waiting period for openings in the facilities would increase.

The bill would take effect immediately if receiving a vote of two-thirds of all members of each house, or September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. This fiscal analysis assumes that any increase in community corrections facility placements would be handled by existing facilities. To the extent that drug court judges choose to use community corrections facility, the waiting period for openings in the facilities could increase.

Source Agencies: 537 Department of State Health Services, 696 Department of Criminal Justice

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