

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 22, 2005

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

IN RE: SB1675 by Barrientos (Relating to the length of confinement in county jail as a condition of community supervision that may be imposed on certain defendants.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would increase the maximum number of days of confinement in a county jail that may be imposed as a condition of community supervision for a misdemeanor offense. The bill would take effect September 1, 2005 and would apply only to a defendant convicted of or placed on community supervision for an offense committed on or after that date.

Current statute sets the maximum number of days of confinement at 30 days for any misdemeanor case. The proposed statute would set the maximum number of days of confinement at 60 days for a Class B misdemeanor and 90 days for a Class A misdemeanor.

Local Government Impact

If the increase in the maximum number of days of confinement were to be imposed in each Class A and Class B misdemeanor case, the county jails would experience an increase in costs. According to the Commission on Jail Standards, the average cost per person per day for confinement in a county jail is \$36. The cost would vary by county and would depend on the number of defendants required to submit to confinement as a condition of community supervision and the number of days imposed. The county's cost for the maximum of 60 days for one defendant would be \$2,160, and the county's cost for the maximum 90 days for one defendant would be \$3,240.

Source Agencies:

LBB Staff: JOB, KJG, DLBa