

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 17, 2007

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

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

IN RE: HB431 by Madden (Relating to the release of a defendant convicted of a state jail felony on medically recommended intensive supervision.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure by allowing a judge to release a defendant convicted of a state jail felony to a medical care facility or medical treatment program if the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMI) identifies the defendant as being elderly, physically disabled, mentally ill, terminally ill, or mentally retarded or having a condition requiring long-term care. The released state jail felony defendant would follow a medically recommended intensive supervision plan that ensured appropriate supervision and required the defendant to remain under the care of a physician at the facility. The bill would provide that if a state jail felony defendant released to a medical care facility violated the terms of that release, the judge could either revoke the community supervision of the defendant or modify the conditions of the person's community supervision. TCOOMMI estimates that 5-10 offenders per year would be affected by the bill. The Texas Department of Criminal Justice (TDCJ) and TCOOMMI have determined that the cost of implementing the bill would not be significant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

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