

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 19, 2007**

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

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

**IN RE: HB1510** by Haggerty (Relating to the minimum and maximum terms of community supervision for a defendant charged with the commission of a felony.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated for the first five years following passage of the bill.</b></p>
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The bill would amend the Code of Criminal Procedure by reducing the term of “regular” community supervision for most felony offenses from a maximum of ten years to a maximum of five years. The bill would further provide that if the jury recommended community supervision for a 3g felony offense, then the maximum term of community supervision that the court could impose remained at ten years. The bill would also reduce the term of deferred adjudication community supervision for most felony offenses from a maximum of ten years to a maximum of five years. The bill would provide that the maximum term of deferred adjudication community supervision that the court could impose for a defendant charged with a 3g offense remained at ten years. The bill would eliminate the minimum term (of two years) that the court must impose on a defendant granted community supervision for a state jail felony offense.

The bill would allow a judge for good cause shown stated on the record to impose a maximum of five one-year extensions for a defendant placed on community supervision for a state jail felony offense and provide that the judge could not impose more than one extension per revocation hearing. The bill would allow a judge for good cause shown stated on the record to impose a maximum of five one-year extensions for a defendant placed on community supervision for a 3g offense and providing that the judge could not impose more than one extension per revocation hearing. The bill would also eliminate the provision in the law that the minimum period of community supervision for a defendant charged with indecency with a child, sexual assault, aggravated sexual assault or a sex offense in which the victim was a child and granted deferred adjudication may not be less than five years.

The provisions of the bill are not likely to have a significant fiscal impact for the first five years following passage; however, the provision of the bill decreasing the maximum felony community supervision term from 10 years to 5 years will have a significant fiscal impact beyond five years of passage. It is estimated that this provision of the bill would likely result in a decrease in the community supervision population of 8,300 individuals by fiscal year 2017.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated for the first five years following passage of the bill.

**Source Agencies:** 696 Department of Criminal Justice

**LBB Staff:** JOB, ES, GG