

## LEGISLATIVE BUDGET BOARD

Austin, Texas

### FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 1, 2007

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

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

**IN RE: HB2938** by McReynolds (Relating to certain conditions under which a parole panel may not refuse to release on parole an inmate who is otherwise eligible for release.), **As Introduced**

**The fiscal impact cannot be determined; the bill could result in costs or savings depending on implementation of the provisions of the bill.**

This bill would amend the Government Code by requiring a parole panel to issue an order releasing onto parole an inmate determined to be able and willing to fulfill the obligations of a law abiding citizen no later than 45 days after such a determination is made. At present a parole panel must also ensure an inmate had made arrangements for employment and maintenance and care in addition to determining an inmate is able and willing to fulfill the obligations of a law abiding citizen. Amendments to the Government Code in the bill would not remove the requirement for a parole panel to determine an inmate is able and willing to fulfill the obligations of a law abiding citizen as a condition of release.

The bill would take effect September 1, 2007 and apply to any inmate confined in a facility operated by or under contract with the Texas Department of Criminal Justice on or after the effective date of this Act, regardless of when the inmate's period of confinement began.

The Texas Department of Criminal Justice (TDCJ) reports 500 offenders awaiting release from prison would be affected by the bill because the offenders lack home plans and are awaiting halfway-house placement. Assuming the intent of the bill is to provide for the release of all 500 offenders, the estimated savings for complying with the provision of the bill would be approximately \$7,763,550 (500 offenders \* \$40 \* 365 days). Costs of incarceration by TDCJ are estimated on the basis of \$40 per inmate per day, reflecting approximate costs of either operating facilities or contracting with other entities. However, future savings from the bill would depend on the number of future offenders awaiting release from prison due to a lack of home plans and awaiting halfway-house placement, which is unknown.

Assuming the intent of the bill is to provide for the release and placement of additional offenders in halfway house beds, TDCJ estimates it would require an additional 125 halfway house beds to accommodate the 500 offenders awaiting release from prison. TDCJ estimates the cost per day for placement in halfway house bed is \$32.35. The yearly cost for the additional halfway house beds would be \$1,471,406 (125 beds \* \$32.35 \* 365 days). Future costs would depend on the number of future offenders awaiting placement in a halfway-house.

#### Local Government Impact

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

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

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