

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 24, 2007

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

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

IN RE: SB166 by West, Royce (Relating to a prison diversion progressive sanctions program.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code by requiring the Community Justice Assistance Division (CJAD) of the Texas Department of Criminal Justice (TDCJ) to give priority in providing grants to Community Supervision and Corrections Departments (CSCDs) for the implementation of a system of progressive sanctions, serving counties in which the revocation rate for defendants on community supervision significantly exceeds the statewide average, for the purpose of reducing the revocation rate of defendants placed on community supervision. The bill further states that as a condition to receiving a grant, the CSCD must offer a plan that contains some, if not all of the following criteria: may include electronic monitoring or substance abuse testing of defendants; the creation, designation, and fiscal support of courts and associated infrastructure necessary to increase judicial oversight and reduce revocations; increased monitoring and field contact by supervision officers; shortened terms of community supervision, with increased supervision during the earliest part of the term; graduated sanctions and incentives, offered to a defendant by both the departments and courts served by the department; the use of inpatient and outpatient treatment options, including substance abuse treatment, mental health treatment, and cognitive training for defendants; the use of intermediate sanctions facilities; the use of community corrections beds; and a risk assessment techniques and reassessment.

The Texas Department of Criminal Justice has determined that the costs associated with implementing the bill are not anticipated to be significant and can be absorbed within the agency's current appropriations.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 696 Department of Criminal Justice

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