

SENATE AMENDMENTS

2nd Printing

By: Hodge, Miles, et al.

H.B. No. 44

A BILL TO BE ENTITLED

AN ACT

relating to the restoration of good conduct time forfeited during a term of imprisonment.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 498.004(a), Government Code, as amended by Chapters 249 and 321, Acts of the 74th Legislature, Regular Session, 1995, is reenacted and amended to read as follows:

(a) If, during the actual term of imprisonment of an inmate in the institutional division or in a transfer facility, the inmate commits an offense or violates a rule of the division, the department may forfeit all or any part of the inmate's accrued good conduct time. The department may ~~not~~ restore good conduct time forfeited under this subsection.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

FLOOR AMENDMENT NO. 1

BY: Ernesto Rojas

1 Amend H.B. No. 44 (senate committee printing) in SECTION 1
2 of the bill, in amended Subsection (a), Section 498.004,
3 Government Code (page 1, line 19), between "under this
4 subsection" and the period, by inserting "unless the inmate is
5 serving a sentence for an offense listed in Section 508.149(a)".

ADOPTED

MAY 17 2007

Letty Spaw
Secretary of the Senate

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 4, 2007

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

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

IN RE: HB44 by Hodge (Relating to the restoration of good conduct time forfeited during a term of imprisonment.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code by granting the Texas Department of Criminal Justice (TDCJ) permission to restore good conduct time forfeited by an offender as a result of committing an offense or violating a rule of TDCJ. If TDCJ utilizes the option to restore good conduct time, the bill would result in cost savings due to the earlier release of inmates for whom good conduct time is restored.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, ES, WK, VDS, GG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

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CRIMINAL JUSTICE IMPACT STATEMENT

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No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes. The bill would result in a decrease in TDCJ's prison population due to the earlier release of inmates for whom good conduct time is restored.

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