

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 23, 2009

TO: Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

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

IN RE: HB221 by Menendez (Relating to delaying parole eligibility for an individual convicted of certain violent offenses who evades arrest.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code as it relates to the parole eligibility of certain offenders by delaying the parole eligibility date if there is a finding regarding delay in arrest of the defendant in the trial for the offense of murder, sexual assault, or aggravated sexual assault. For offenders with such a finding, for every twelve months between the date an arrest warrant is issued following indictment for the offense and the date the inmate is arrested for the offense, the earliest date on which an inmate is eligible for parole is delayed by three years if the inmate is serving a sentence for the offense of murder, sexual assault, or aggravated sexual assault.

The bill would take effect on September 1, 2009 and would apply to the parole eligibility of offenders serving a sentence for murder, sexual assault, or aggravated sexual assault committed on or after the effective date.

Given the proposal would apply to offenses committed on or after September 1, 2009 and that under current law and policy individuals convicted of murder, aggravated sexual assault, and sexual assault serve a high percentage of their sentence, the impact of this proposal would not be significant in the first five years of implementation.

Local Government Impact

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

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, TB, ESi, GG, TMP