

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 9, 2009

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

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

IN RE: HB951 by Dutton (Relating to the reduction or termination of the period of community supervision imposed on a defendant convicted of certain intoxication offenses.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure allowing trial judges to grant early termination for persons placed on community supervision for intoxication offenses. The bill would further allow a person placed on community supervision for an intoxication offense to petition the court to allow the individual to withdraw their plea of guilt and for the court to dismiss the accusation, complaint, information, or indictment against the defendant.

The bill would take effect on September 1, 2009 and apply to a defendant placed on community supervision before, on, or after the effective date.

The provisions of the bill could lead to decreased correctional populations, depending on its application, resulting in savings. However, due to the infrequency with which early termination is currently applied, the impact of the bill is not expected to be significant.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, ESi, GG, TMP