LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 8, 2009

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

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

IN RE: **HB2100** by Martinez Fischer (Relating to procedures for certain persons charged with certain new offenses or an administrative violation of a condition of release from the Texas Department of Criminal Justice on parole or to mandatory supervision.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to authorize a county magistrate in which a person is held in custody for a parole violation, ineligible release, or violation of a condition of mandatory supervision, to release the person on bond pending the hearing if certain conditions are met. Included in those conditions that must be met, is a requirement that the Parole Division of the Texas Department of Criminal Justice (TDCJ) includes notice on the warrant for the person's arrest that the person is eligible for release on bond.

The bill would apply only to a person charged with a violation of the person's release on parole or mandatory supervision on or after the effective date of the bill, which would be September 1, 2009.

According to TDCJ, there would be no significant fiscal impact to the agency.

Local Government Impact

A county could experience a savings related to county jail expenses by being able to release a person who would otherwise be required to be held until a hearing. The savings would depend on the number of persons arrested and eligible for release under the provisions of the bill.

As an example, the estimated average cost of county jail confinement per person per day in Grayson County (U.S. Census population of 110,595) is $45.27; in Fort Bend County (2000 U.S. Census population of 354,452) is $37.00; and in Harris County (2000 U.S. Census population of 3.4 million) is $72.50.

Source Agencies: 696 Department of Criminal Justice
LBB Staff: JOB, ESi, DB