

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 22, 2009

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

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

IN RE: HB3228 by Madden (Relating to the offense of prohibited substances and items in correctional facilities.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code, Code of Criminal Procedure, and Human Resources Code related to the offense of prohibited substances and items in correctional facilities. The bill defines the term “component” relating to cellular telephones or other wireless communications device for the offense of prohibited substances and items in correctional facilities. The bill specifies conditions to be met when someone commits an offense related to the transfer of a cellular telephone or wireless communication device to someone in the custody of a correctional facility. The bill would allow the Texas Department of Criminal Justice and the Texas Youth Commission to purchase and operate equipment to intercept electronic communications within their respective institutions. The bill would take effect on September 1, 2009.

It is assumed that the cost to implement the provisions of the bill would not be significant.

Local Government Impact

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

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, ESi, GG, TMP