

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 21, 2009

TO: Honorable Jim McReynolds, Chair, House Committee on Corrections

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

IN RE: HB3355 by Laubenberg (Relating to electronic monitoring as a required condition of community supervision and parole for certain violent offenders.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to require certain violent offenders be placed on electronic monitoring as a condition of probation or parole supervision for a period of at least one year. Under the provisions of the bill the defendant, unless determined to be indigent, would be required to pay for the monitoring.

The bill would take effect September 1, 2009, and apply only to an individual placed on community supervision or released to parole supervision on or after the effective date of the Act.

Under current policy, placement on electronic monitoring for offenders identified by this proposal is done as a condition of community supervision or as a condition of parole release. The Texas Department of Criminal Justice reports it costs \$.441 a day (\$1,610 a year) to place an offender under passive electronic monitoring and \$9.95 a day (\$3,632 a year) to place an offender under active electronic monitoring. The cost to the agency would be dependent on the number of offenders determined to be indigent, the type of electronic monitoring required, and the length of time for which the offender was monitored. If a high percentage of individuals identified by this proposal are determined to be indigent it could result in a significant fiscal impact to the agency. For this analysis it is assumed the agency would be able to implement the provisions of the bill with existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. The bill would require a defendant that is released to submit to electronic monitoring as a condition of community supervision or parole for a period of not less than one year, and to pay the cost incurred by the department, unless the defendant is determined to be an indigent.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, ESi, GG, SDO, LM, TP