

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 23, 2009

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

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

IN RE: SB1278 by Huffman (Relating to the authority of a judge to suspend the imposition of a sentence and place a defendant on community supervision.), **As Introduced**

The probable impact of implementing the bill cannot be determined due to the unavailability of reliable data or information related to the statewide number of times a judge opted to suspend the imposition of a sentence of confinement imposed by a jury and place a defendant on community supervision.

The bill would amend the Code of Criminal Procedure to prohibit a judge from suspending a jury-imposed sentence of confinement to place a defendant on community supervision if the jury did not recommend community supervision.

The bill would take effect September 1, 2009 and apply only to sentences imposed in a criminal trial that commences on or after the effective date of the bill.

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, LM, TP