

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 14, 2009**

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

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

**IN RE: SB1374** by West (Relating to community-based programs for juveniles in certain counties.),  
**As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Human Resources Code by requiring the Juvenile Probation Commission (JPC) to include in their annual report to the Governor and the Legislature an evaluation of the effectiveness of community-based programs and community corrections pilot programs, and information comparing the cost of a youth participating in these programs with the cost of committing a youth to the Youth Commission (TYC).

The bill would also require JPC and TYC to establish guidelines for the implementation of community corrections pilot programs to provide rehabilitation services including delinquency prevention, substance abuse treatment and mental health treatment. Juvenile judges in counties with a population of at least 335,000 would be permitted to order a youth who commits a felony that does not include the use or the threat of force against another person, including exhibition of a deadly weapon, to participate in a community corrections pilot program instead of commitment to TYC. JPC and TYC would be required to adopt rules regarding the process by which a juvenile board would be permitted to apply to JPC for a grant to implement a community corrections pilot program. A report submitted by JPC would include recommendations as to whether any community corrections pilot programs implemented by juvenile boards should be implemented on a state-wide basis. The bill would take effect September 1, 2009.

The JPC's estimate includes 11 counties and 820 youth with costs of \$41.1 million for the biennium. However, the bill is permissive and does not require all counties with a population of 335,000 or greater to participate in the initial pilot programs. The JPC estimates also include a higher cost per day than the Legislature currently funds for residential placement. TYC estimates population reductions of 103 youth in the first year and 213 youth in future years with a savings of \$21.4 million for the biennium. This savings includes a reduction of 254 FTES. If the pilot programs are initiated on a smaller scale with the determination of more widespread use made during the 2010-11 biennium, as required by the bill, the costs of the pilot programs would be offset by the savings from reduced populations at TYC, resulting in no significant fiscal impact to the State.

**Local Government Impact**

The fiscal impact to counties would vary depending on the type of pilot program implemented and the amount of state funds received.

**Source Agencies:** 665 Juvenile Probation Commission, 694 Youth Commission

**LBB Staff:** JOB, ESi, GG, AI, TP