

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

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

**April 24, 2009**

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

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

**IN RE: SB2176** by Shapleigh (Relating to the timely transfer of inmates from certain county jails to the Texas Department of Criminal Justice.), **As Introduced**

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

The bill would amend the Government Code by requiring the transfer of inmates from certain county jails to the Texas Department of Criminal Justice (TDCJ) no later than the date that corresponds to the statewide average number of days an inmate eligible for transfer remains in a county jail before the inmate is accepted by TDCJ.

Since September 1, 1995, TDCJ has had a duty to accept an inmate processed and ready for transfer to TDCJ no later than 45 days after the date on which all processing required for transfer has been completed. For fiscal year 2009, TDCJ has transferred inmates on average 20 days after the date on which all processing required for transfer had been completed. According to TDCJ, the bill could potentially decrease the number of days within which TDCJ has a duty to accept offenders and result in an increase in the TDCJ inmate population. However, it is assumed that the potential fiscal impact of the bill could be reasonably absorbed with existing resources.

**Local Government Impact**

Any lessening of the number of days within which TDCJ has a duty to accept offenders from county jails, would result in decreases in the county jail population resulting in savings to local government.

**Source Agencies:** 409 Commission on Jail Standards, 696 Department of Criminal Justice

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