

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

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**April 11, 2011**

**TO:** Honorable Byron Cook, Chair, House Committee on State Affairs

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

**IN RE: HB1294** by Shelton (Relating to the eligibility of certain persons to receive a sentence of community supervision, including deferred adjudication community supervision.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Code of Criminal Procedure by making illegal aliens, as defined by the bill, ineligible for judge ordered or jury recommended community supervision, including deferred adjudication community supervision. The bill would take effect September 1, 2011, and apply only to an offense committed on or after the effective date.

Broadening the definitions for which a penalty is applied is expected to result in increased demands upon the correctional resources of counties or of the State due to longer terms of probation, or longer terms of confinement in county jail, state jail or prison. Due to the small number of defendants potentially affected by the bill, it is assumed that the bill would not significantly affect the operations of state or local government.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** JOB, KJG, GG, ADM, KKR