

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 22, 2011

TO: Honorable Jerry Madden, Chair, House Committee on Corrections

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

IN RE: HB1763 by Harper-Brown (Relating to the timely transfer of certain inmates from 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 as it relates to the timely transfer of certain inmates from county jails to the Texas Department of Criminal Justice(TDCJ). Under the provisions of the bill, the TDCJ would have a 30-day duty to accept requirement for those with first degree, second degree, third degree, or capital felony convictions. At present TDCJ has a 45-day duty to accept requirement and this requirement would remain in effect for those with state jail felony conviction.

Reducing the number of days in which the state has a duty to accept and transfer convicted felons is expected to result in increased demands on the correctional resources of the State. In fiscal year 2010, convicted felons spent an average of 21 days in county jails awaiting transfer to TDCJ. In fiscal year 2011 (from September 2010 through March 2011) convicted felons spent an average of 24 days in county jail awaiting transfer to TDCJ. For this analysis it is assumed the number of offenders affected by the provisions of the bill would not result in a significant impact on the programs and workload of State. However, continued growth in the population may require the agency to consider other options in order to meet the requirements of the bill and adhere to capacity management constraints.

The bill would take effect September 1, 2011 and apply only to the acceptance by TDCJ of an inmate who is confined in a county jail and is under an order of effective commitment to the department that is entered on or after that date.

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