

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

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

**May 13, 2011**

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

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

**IN RE: HB2735** by Madden (Relating to procedures for certain persons charged with an administrative violation of a condition of release from the Texas Department of Criminal Justice on parole or to mandatory supervision.), **As Engrossed**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Government Code to change the procedure in which the director of the pardons and paroles division, the director's designee, or the Board of Pardons and Parole on order by the governor may issue a summons instead of a warrant to a person on parole or mandatory supervision. The pardons and paroles division could issue a summons requiring the person to appear for a hearing under Section 508.281 only if the person is charged with committing an administrative violation of release after the third anniversary of initial parole or mandatory supervision and is not serving a sentence for or been previously convicted of an offense described by Article 62.001(5) of the Code of Criminal Procedure including certain sexually oriented offense, kidnapping, and burglary.

The Texas Department of Criminal Justice indicates it could absorb the costs associated with the bill within its current resources.

The Board of Pardons and Paroles does not anticipate a significant fiscal impact; although, the number of hearings convened by summons would likely increase significantly.

**Local Government Impact**

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

Harris County reported that on any given day, there are 360 inmates in Harris County Jail awaiting their hearing, a subset of which would qualify for a summons in lieu of incarceration. For each day that one parolee is not in jail awaiting such a hearing, the county would save up to \$70.

**Source Agencies:** 696 Department of Criminal Justice, 697 Board of Pardons and Paroles

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