

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

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

**April 20, 2011**

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

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

**IN RE: HB3359** by Miles (Relating to mandatory supervision for certain inmates sentenced following violation of a condition of community supervision.), **As Introduced**

**The probable savings as a result of the bill cannot be determined due to a lack of data related to offenders whose community supervision has been revoked and those admitted for new offenses.**

The bill would amend the Government Code as it relates to mandatory supervision for certain inmates sentenced following a violation of a condition of community supervision. Under the provisions of the bill, certain felons whose deferred adjudication community supervision was revoked as a result of a technical violation of the conditions of community supervision would be automatically released to mandatory supervision once the offender's time served plus good time equals the offender's sentence length.

Allowing for the automatic release of offenders to mandatory supervision is expected to result in decreased demands upon the correctional resources of the State due to shorter terms of confinement in prison. In fiscal year 2010, there were 9,786 felony community supervision revocations to prison for a technical violation of community supervision belonging to approximately 6,410 people. After removing those not on deferred adjudication community supervision at revocation, those whose offenses make them ineligible because of the provisions of the bill, and those whose offenses are ineligible for release to mandatory supervision, approximately 4,201 felony community supervision revocations belonging to 2,224 people would be subject to the provisions of the bill. The probable impact on the criminal justice population as a result of the provisions of the bill cannot be determined since historical data that would allow for those offenders whose community supervision has been revoked to be distinguished from those admitted for a new offense do not exist. Without this level of detail it is not possible to make an assumption with regard to the amount of good conduct time those subject to the provisions of the bill might accrue.

The bill would take effect immediately if a two-thirds majority vote in both houses of the Legislature is received. Otherwise, the bill would take effect on September 1, 2011.

**Local Government Impact**

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

**Source Agencies:** 696 Department of Criminal Justice

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