LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 19, 2011

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

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

IN RE: **HB3691** by Gallego (Relating to the provision by certain judges or community supervision and corrections departments of certain programs and services, including certain pretrial programs and services, and to the imposition of certain sanctions against defendants supervised by those departments.), **As Engrossed**

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

The bill would amend the Government Code and the Code of Criminal Procedure. The bill would change from permissive to a requirement that the Texas Board of Criminal Justice adopt rules regarding contracts between community supervision and corrections departments (CSCDs) and between judicial districts and CSCDs established for another judicial district.

The bill would require criminal court judges to adopt a single system of progressive intermediate sanctions for violations of conditions of community supervision. The bill would require community supervision officers who impose a progressive sanction on an offender to conduct an administrative hearing if the offender objects to the sanction.

The bill would add participation in a victim-offender mediation program as a condition determined by pre-trial hearings. The bill would provide courts authority to establish a victim-offender mediation program and direction in the operation of such a program.

The Department of Criminal Justice anticipates no fiscal impact as a result of the bill.

Local Government Impact

Local governments could be negatively impacted by the provisions of the bill through increased administrative hearings and the operation of a victim-offender mediation program. The bill would require participants in the victim-offender mediation program to pay a fee, which could offset the costs to the counties.

Source Agencies:

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