

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 21, 2011

TO: Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

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

IN RE: HJR98 by Burkett (Proposing a constitutional amendment denying bail to certain persons charged with a violent or sexual offense after having been previously convicted of a violent or sexual offense.), **As Introduced**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$105,495.

The resolution proposes an amendment to prohibit a judge from granting bail to a person that is in custody for committing a violent or sexual offense and who is determined to have been previously convicted of a violent or sexual offense.

The proposed amendment would be submitted to voters at an election to be held November 8, 2011.

Local Government Impact

There would be some additional costs to hold a person in jail pending a trial; however, those amounts would vary depending on the number of applicable offenders in a locality and are not anticipated to be significant. The average daily cost for incarceration in a county jail is \$45.

There would be a fiscal impact to local governments associated with an election; however, those costs would vary by locality and are not anticipated to be significant.

Based on costs reported to the Secretary of State (SOS) in 2010 by a sampling of counties, municipalities, and special districts, the average cost incurred by a local governmental entity for an election is \$1.98 per registered voter.

Source Agencies:

LBB Staff: JOB, ESi, TP