

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 29, 2011

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

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

IN RE: SB883 by Whitmire (Relating to awarding credit to an inmate for certain time between release on and revocation of parole, mandatory supervision, or conditional pardon.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB883, As Introduced: a positive impact of \$145,768,774 through the biennium ending August 31, 2013.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	\$43,067,989
2013	\$102,700,785
2014	\$144,249,704
2015	\$178,209,895
2016	\$205,230,087

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1
2012	\$43,067,989
2013	\$102,700,785
2014	\$144,249,704
2015	\$178,209,895
2016	\$205,230,087

Fiscal Analysis

The bill would amend the Government Code as it relates to awarding good time to certain inmates for time between release on and revocation of parole, mandatory supervision, or conditional pardon. Under the provisions of the bill, all offenders would receive credit for the time spent on parole prior to revocation.

The bill would take effect on September 1, 2011 and apply only to the calculation of the remaining sentence for an inmate whose release on parole, mandatory supervision, or conditional pardon is revoked on or after the effective date of this Act.

Methodology

Awarding credit for time served while on parole prior to revocation 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 6,678 revocations of parole supervision belonging to 6,651 offenders. Of the 6,651 offenders subject to the provisions of the bill, 1,245 offenders would have completed their sentence if they received credit for time served while on parole prior to revocation leaving 5,406 offenders returning to prison to serve shorter terms of incarceration (approximately 2.67 years).

In order to estimate the future impact, the proposed conditions of the bill are applied in a simulation model to a prison population that reflects the distribution of offenses, sentence lengths, and time served. Savings of incarceration by the Department of Criminal Justice are estimated on the basis of \$45.00 per inmate per day for prison facilities, reflecting approximate costs of either operating facilities or contracting with other entities. Costs of supervision by the Department of Criminal Justice's parole division are estimated on the basis of \$3.74 per offender per day.

The Board of Pardons and Paroles anticipates an increase in workload and is unable to determine the associated costs as a result of complying with the provisions of the bill, no such costs are included in this estimate.

Local Government Impact

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

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

LBB Staff: JOB, ESi, GG, LM, ADM, AI