

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 19, 2011

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

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

**IN RE: SB884** by Whitmire (Relating to the retention of good conduct time by an inmate whose release on parole or to mandatory supervision is revoked.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB884, As Introduced: a positive impact of \$23,558,946 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	\$9,287,412
2013	\$14,271,534
2014	\$20,374,560
2015	\$22,756,135
2016	\$22,949,371

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1
2012	\$9,287,412
2013	\$14,271,534
2014	\$20,374,560
2015	\$22,756,135
2016	\$22,949,371

Fiscal Analysis

The bill would amend the Government Code as it relates to the retention of good conduct time by an inmate whose release on parole or to mandatory supervision is revoked. Under the provisions of the bill, an offender whose supervision (parole, mandatory, or discretionary mandatory), is revoked would not forfeit any good time accrued prior to release to supervision (parole, mandatory, or discretionary mandatory). At present, an offender whose supervision (parole, mandatory, or discretionary mandatory) is revoked forfeits any good time accrued prior to release.

The bill would take effect September 1, 2011 and apply only to a revocation of parole or mandatory supervision occurring on or after that date.

Methodology

Allowing offenders to retain and continue to accrue good time upon revocation of supervision (parole,

mandatory, or discretionary mandatory) 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 6,651 offenders revoked to prison. After removing those cases for which good time data were not available, for which good time was equal to zero, and those for whom receiving good time credit would exceed their sentence length, approximately 6,158 offenders would be subject to the provisions of the bill. The average sentence length upon revocation for the offenders subject to the provisions of the bill was 12.9 years and the average amount of good time accrued by these offenders prior to their release to supervision was 3.5 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. Incarceration savings for 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.

Neither the Texas Department of Criminal Justice nor the Board of Pardons and Paroles anticipate a significant fiscal impact as a result of complying with the provisions of the bill.

### **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, AI