

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 27, 2011

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

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

IN RE: SB1014 by Davis (Relating to the discharge of a prisoner from a county jail.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Article 43.13 of the Code of Criminal Procedure to require a defendant to be released from a county jail at any time beginning at 6:00 a. m. and ending at 7:00 p. m. on the day the defendant discharges his sentence; agrees to or requests a release; is released to another county with an arrest warrant; is being transferred to another state, a unit of the federal government, or the Department of Criminal Justice; or is being admitted under a court order to an inpatient mental health facility or state supported living center. The bill would permit a sheriff or county jail administrator to credit a defendant with up to 18 hours if the defendant's sentence expires at 12:01 a.m. or to release the defendant within the required timeframe on the day prior to the sentence expiration. The bill would amend Government Code, Section 511.009, to permit the Commission on Jail Standards to monitor compliance with the provisions of the bill related to the release of a prisoner from county jail. The Texas Commission on Jail Standards anticipates no significant fiscal impact to the State.

Local Government Impact

Local governments could be negatively impacted by the bill's passage. However, the provision of early release allows county jails flexibility in managing capacity as it relates to the provisions of the bill, which is anticipated to reduce the local impact.

Source Agencies:

LBB Staff: JOB, KKR, ESi, GG, AI