

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 17, 2013

TO: Honorable Tan Parker, Chair, House Committee on Corrections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB255 by Miles (Relating to mandatory supervision for certain offenses involving the possession of a controlled substance.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB255, As Introduced: a positive impact of \$4,895,559 through the biennium ending August 31, 2015.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$2,100,517
2015	\$2,795,042
2016	\$3,896,120
2017	\$4,556,766
2018	\$4,573,706

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1
2014	\$2,100,517
2015	\$2,795,042
2016	\$3,896,120
2017	\$4,556,766
2018	\$4,573,706

Fiscal Analysis

The bill would amend the Government Code as it relates to mandatory supervision for certain drug possession offenses. Under the provisions of the bill, offenders incarcerated for certain drug offenses would be automatically released to mandatory supervision once the offender's time served plus good time equals the offender's sentence length.

Methodology

Allowing for the automatic release of offenders to mandatory supervision 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 2012, there were 8,818 case denials for releases to discretionary mandatory supervision. Of those cases denials, 486 were for the drug offenses subject to the provisions of this bill.

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 \$50.04 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 \$3.63 per offender per day. The estimated incarceration savings for fiscal year 2014 is \$2,264,810 (124 offenders * \$50.04 per day * 365 days). The estimated parole supervision cost for fiscal year 2014 is \$164,294 (124 offenders * \$3.63 per day * 365 days). The estimated total savings for fiscal year 2014 is \$2,100,517 (\$2,264,810 - \$164,294).

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: UP, LM, ESi, GG, AI