

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 12, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB512 by Thompson, Senfronia (Relating to the eligibility of certain inmates for release on medically recommended intensive supervision.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would implement recommendations in the report “Revise Medically Recommended Intensive Supervision Eligibility Criteria to Improve Identification of Qualifying Offenders” in the Legislative Budget Board’s Government Effectiveness and Efficiency Report, submitted to the Eighty-third Texas Legislature, 2013.

The bill would amend the Government Code to eliminate offense restrictions for inmates with an instant offense or reportable conviction or adjudication under various chapters of the Code of Criminal Procedure. Under this provision, the Texas Board of Pardons and Paroles would be allowed to consider eligible offenders with 3g offenses and sex offenses for release on medically recommended intensive supervision as long as the offender does not pose a public safety threat and has a physical disability, a condition requiring long-term care, terminal illness, mental illness, or an intellectual and developmental disability. The bill would also eliminate eligibility on the basis of age. In accordance with this provision, inmates identified as elderly by the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) in conjunction with the Correctional Managed Health Care Committee would no longer be considered for release on medically recommended intensive supervision.

Based on the LBB’s analysis of the Texas Board of Pardons and Paroles (BPP), the projected increase in the number of cases voted by BPP’s MRIS panel as a result of the provisions of the bill could be completed using existing resources. Expanding the number of offenders eligible for MRIS is expected to result in decreased demands upon the state’s correctional resources due to shorter terms of confinement in prison. However, this analysis assumes that this reduction would not significantly impact state correctional agency resources. According to the Texas Department of Criminal Justice, cost savings from reductions in the offender population from provisions of the bill would be greater than savings from reductions in the general offender population due to the medical conditions of the affected offenders.

Removing the elderly category as part of the eligibility criteria for MRIS would increase the efficiency of TCOOMMI’s screening process by eliminating the number of offenders who qualify based solely on age. In addition, expanding medically recommended intensive supervision eligibility criteria to include 3g offenses and sex offenses could result in the release of offenders in need of costly medical services to cost-effective non-correctional settings.

Local Government Impact

No 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, ESi, JI, AHE, JGA