

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 9, 2013**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1234** by Price (Relating to the eligibility of an inmate convicted of reckless injury to a child, elderly person, or disabled person for release to mandatory supervision.), **As Introduced**

<b>Estimated Two-year Net Impact to General Revenue Related Funds</b> for HB1234, As Introduced: a negative impact of (\$1,982,218) through the biennium ending August 31, 2015.
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**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2014	(\$659,579)
2015	(\$1,322,639)
2016	(\$1,713,132)
2017	(\$2,053,596)
2018	(\$2,210,276)

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from General Revenue Fund</b>
2014	(\$659,579)
2015	(\$1,322,639)
2016	(\$1,713,132)
2017	(\$2,053,596)
2018	(\$2,210,276)

**Fiscal Analysis**

The bill would amend the Government Code as it relates to the eligibility of inmates convicted of injury to a child, elderly person, or disabled person for release to mandatory supervision. Under the provisions of the bill, inmates serving a sentence for injuring a child, elderly person, or disabled person, punishable as either a second or third degree felony, may not be released to mandatory supervision.

## **Methodology**

In fiscal year 2012, 609 offenders were admitted to prison for injury to a child, elderly person, or disabled person. The bill is expected to increase the length of incarceration for many of these offenders. To assess the impact on incarceration length, the actual release patterns for prisoners released in fiscal year 2012 were compared to the expected release patterns for these prisoners were the bill implemented.

Among fiscal year 2012 prison releases, 686 offenders were incarcerated for injury to a child, elderly person, or disabled person. It is assumed that the bill would only affect the 443 prisoners who were released under mandatory supervision. The average length of incarceration in the Texas Department of Criminal Justice was 822 days for offenders released to mandatory supervision and it was 942 days for offenders released to parole or discharged. Therefore, it is assumed that each of the affected offenders would serve an additional 120 days under the provision of the bill.

To estimate the future impact, the daily costs of Texas Department of Criminal Justice (TDCJ) incarceration are estimated to be \$50.04 per inmate for prison facilities. Since fewer prisoners would be released to parole supervision, daily savings to parole supervision are estimated to be \$3.63 per offender. For example, in fiscal year 2014, the cost is estimated to be \$711,168, which reflects the total number of additional days all affected prisoners remain incarcerated in fiscal year 2014 (14,212 days) times the total cost per day per inmate (\$50.04). The fiscal year 2014 savings are estimated to be \$51,590, which reflects the number of fewer days affected prisoners were under parole supervision in fiscal year 2014 (14,212 days) times the total supervision cost per prisoner (\$3.63). The net fiscal impact is therefore \$659,579 (or \$711,169 minus \$51,590). In subsequent years, the fiscal impact is expected to increase as additional offenders are admitted to prison.

## **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, ESi, GG, JGA