

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 8, 2013

TO: Honorable Abel Herrero, Chair, House Committee on Criminal Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1436** by Lucio III (Relating to a mandatory term of confinement for certain offenses involving family violence.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would require a court to submit a person granted community supervision for an offense involving family violence to mandatory confinement in county jail ranging from 72 hours to 30 days depending on the offense.

The bill would also require that punishment for assault in which a person intentionally, knowingly, or recklessly causes bodily injury to another, including the person's spouse, include a minimum term of confinement of 72 hours when punished as a Class A misdemeanor.

The bill would also require that punishment for violation of a court order or a condition of bond in a family violence case include a minimum term of confinement of 72 hours when punished as a Class A misdemeanor.

No significant impact on state correctional populations, programs, or workload is anticipated from any provisions of the bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Local Government Impact

The bill would require mandatory confinement in county jails in cases in which the court could previously punish offenders with a fine only. These costs would vary by county depending on the number of applicable cases, whether or not jail time would have otherwise been issued, and the length of jail time the offender would otherwise receive. Costs may be significant to some counties.

Harris County estimates a bed in a county jail at between \$80 and \$85 per day for the general population, and costs up to \$315 per day for specialized mental health inside the jail and up to \$510 per day for contract mental health at the Harris County Psychiatry Center. At an estimated 10 day average stay, costs on average would be between \$850 and \$5,000 per inmate.

Brazos County estimated that the bill would add about 500 total days of jail time per year, at a cost of \$51.11 per day on average, for a total of \$25,555 annually.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: UP, ESj, SD, KKR, JGA