

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: HB1667 by Carter (Relating to the conditions of release on bond for certain defendants charged with the offense of burglary.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to require a defendant previously convicted of burglary two or more times to submit to electronic monitoring and pay the costs as a condition of bond. The bill would require a court that determines a defendant is indigent or unable to pay the cost of electronic monitoring to enter the findings on record. The bill would also require a defendant who violates a condition of bond and whose bail is revoked to be taken into custody and denied further release on personal bond pending trial. The defendant may be release on depositing current money with the court, or obtaining a surety bond.

According to the Texas Department of Criminal Justice (TDCJ), no significant fiscal impact is anticipated unless it is determined that it will have an impact on the offender population.

Local Government Impact

According to the Texas Association of Counties (TAC), there could be a significant cost to some counties. Smaller counties, given the limited number of defendants that would be impacted, could see some costs though possibly not significant. Urban counties, where the majority of these defendants would be located, could experience a significant fiscal impact given several factors, including the number of defendants who would be monitored; the need to use Global Positioning System (GPS monitoring which is more expensive (based on the small number of responses many counties do not currently use GPS monitoring which requires more staff and has higher costs per defendant); and the impact of jail costs for defendants who fail to bond out due to the increased fees thus remaining in jail.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: UP, ESi, KKR