

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 25, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB358 by Hinojosa (Relating to the use of a polygraph statement as evidence that a defendant or releasee from the Texas Department of Criminal Justice has violated a condition of release.), **Conference Committee Report**

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| <p>No significant fiscal implication to the State is anticipated.</p> |
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The bill would amend the Code of Criminal Procedure and Government Code as they relate to the use of the results of a polygraph examination as evidence that a defendant or parolee has violated a condition of release on community supervision or parole. Under the provisions of the bill, the court or parole panel may not rely solely on the uncorroborated results of a polygraph examination for an adjudication of guilt on an original charge or a revocation for a violation of community supervision or parole supervision. The bill would take effect immediately upon a two-thirds vote of all the members in each house. Otherwise, the bill would take effect September 1, 2013.

The bill increases the evidence required in certain cases to adjudicate or revoke an individual who has allegedly violated the conditions of community supervision or parole supervision. This additional requirement may reduce the number of individuals whose community supervision or parole supervision is modified and extended. It may also reduce the number of individuals admitted to Texas Department of Criminal Justice facilities due to a revocation. As a result, the bill could reduce the overall correctional supervision and incarceration populations. However, in the case of the bill, it is assumed that the number of offenders supervised or incarcerated under this statute would not significantly impact state correctional agencies' workload and programs.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, ESi, GG, JGA, KKR