LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 13, 2013

TO: Honorable John Whitmire, Chair, Senate Committee On Criminal Justice

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.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure and Goverment Code as they relate to the use of a polygraph statement 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 uncorroborated polygraph statements 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 on September 1, 2013, and only apply to offenses committed on or after that date.

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