

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

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

**March 28, 2013**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

**IN RE:** SB727 by Taylor (Relating to the eligibility for judge-ordered community supervision or for release on parole of certain defendants convicted of burglary with the intent to commit a sex offense.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Code of Criminal Procedure and Government Code to add burglary of a habitation with the intent to commit certain felony sex offenses to the list offenses for which a defendant is not eligible for judge ordered community supervision and which require a defendant to serve half of their sentence or thirty calendar years, whichever is less, before being eligible for release on parole.

Under current law, burglary of a habitation with the intent to commit another felony is a first degree felony. Persons convicted of this offense are eligible for judge ordered community supervision and are eligible for parole when the person's actual calendar time served plus good conduct time equals one-fourth of the sentence imposed or 15 years, whichever is less.

Limiting an offender's ability to receive community supervision and increasing the time before an offender is eligible for parole is expected to increase demands on state correctional agency resources due to increasing the number of offenders sentenced to prison and creating longer terms of confinement for those that are sentenced to prison. However, in the case of the bill, it is assumed that the number of offenders 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, JPo