

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 17, 2017

TO: Honorable Joe Moody, Chair, House Committee on Criminal Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB607 by Minjarez (Relating to a court's continuing jurisdiction to handle the disposition of a felony case.), **As Introduced**

The fiscal implications of the bill cannot be determined due to the unavailability of data regarding the number of potential motions filed, number of motions denied, and the number of days a sentence would be decreased under the provisions of the bill.

The bill would amend the Code of Criminal Procedure relating to a court's continuing jurisdiction to handle the disposition of a felony case. Under the provisions of the bill, judges would have expanded options to alter felony sentences and place defendants under community supervision on the motion of the defendant, the state's attorney, or on the judge's own motion. If a judge declined to grant such a motion, the judge would also be permitted to reduce the defendant's original term of imprisonment. Providing additional options to allow for a sentence of imprisonment to be suspended so an individual can be placed under community supervision and allowing for additional options to reduce a term of imprisonment is expected to result in decreased demands upon State correctional resources due to fewer individuals confined and individuals confined for fewer days within state correctional institutions. The bill may have a positive impact by decreasing the number of individuals confined and the number of days confined within state correctional institutions. Whether the bill would result in a significant fiscal impact is indeterminate due to the lack of statewide data related to the number of potential motions filed, number of motions denied, and the number of days a sentence would be decreased. The bill would take effect September 1, 2017 and apply only to an individual charged with or convicted of an offense on or after the effective date of the Act.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 696 Department of Criminal Justice

LBB Staff: UP, KJo, LM, JPo, ZB, PBO, BM, MW