

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 11, 2017

TO: Honorable James White, Chair, House Committee on Corrections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3130 by Parker (Relating to the establishment of an educational and vocational training pilot program for certain state jail felony defendants.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3130, As Introduced: a positive impact of \$84,949,456 through the biennium ending August 31, 2019.

This analysis provides an estimate for the maximum population impacted by the bill's provisions and the maximum associated savings, to the degree judges choose not to suspend the imposition of the sentence or an individual is deemed ineligible to participate both savings and costs would be reduced.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2018	\$5,020,219
2019	\$79,929,237
2020	\$80,005,853
2021	\$80,441,699
2022	\$80,465,549

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
2018	\$5,020,219
2019	\$79,929,237
2020	\$80,005,853
2021	\$80,441,699
2022	\$80,465,549

Fiscal Analysis

The bill would amend various codes as they relate to the establishment of an education and vocational training pilot program for certain state jail felons. The bill would allow a judge to place individuals convicted of a state jail felony who receive a sentence of confinement, under community supervision for total of 270 days with the condition the individual submits to 90 days of confinement within a state jail facility and participates in a 180-day education and vocational training program.

Methodology

In fiscal year 2016, 19,502 individuals were admitted into state jail with an average sentence length of 10 months and an average of four months time credit in county jail. Under the provisions of the bill, individuals would be allowed to receive time served in a county jail credited towards the term of confinement in a state jail facility. Based on an analysis of historical data, this analysis assumes the individuals subject to the bill's provisions would be placed directly under felony community supervision since the average county jail time credit awarded to state jail felons was four months.

Estimated populations are based on the adult incarceration projections included in the *January 2017 Adult and Juvenile Correctional Population Projections* report. Cost per day figures included in this analysis are based on those reported in the *January 2017 Criminal and Juvenile Justice Uniform Cost* report. Incarceration savings are estimated at \$52.88 per individual, per day for state jail and felony community supervision costs are estimated at \$1.78 per individual, per day. Based on the provisions of the bill, the Texas Department of Criminal Justice must use the cost savings to pay providers a minimum of \$40 per day for each participant for employment-related training and support.

The provisions of bill apply only to those who receive a sentence of confinement in a state jail on or after June 1, 2018. This analysis provides an estimate for the maximum population impacted by the bill's provisions and the maximum associated savings, to the degree judges choose not to suspend the imposition of the sentence or an individual is deemed ineligible to participate both savings and costs would be reduced. Assuming all other sentencing and county jail time credit practices remain constant, the bill's provisions would result in net savings of \$5,020,219 during fiscal year 2018. This analysis assumes the bill's provisions would reach partial implementation in fiscal year 2018 and full implementation in fiscal year 2019.

The estimated net savings for fiscal year 2018 include incarceration savings of \$23,916,143 and are partially offset by felony community supervision costs of \$805,044 and employment training and support services costs of \$18,090,880.

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, KVe