

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 12, 2019

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB256 by Moody (Relating to the release on parole of certain inmates convicted of an offense committed when younger than 18 years of age; changing parole eligibility.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB256, As Introduced: a negative impact of (\$300,444) through the biennium ending August 31, 2021.

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
2020	(\$151,422)
2021	(\$149,022)
2022	(\$149,022)
2023	(\$149,022)
2024	(\$149,022)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund	Change in Number of State Employees from FY 2017
	1	
2020	(\$151,422)	2.0
2021	(\$149,022)	2.0
2022	(\$149,022)	2.0
2023	(\$149,022)	2.0
2024	(\$149,022)	2.0

Fiscal Analysis

The bill would amend the Government Code to change the parole eligibility for individuals who

were younger than 18 at offense who commit certain offenses. Under the provisions of the bill, these individuals would be eligible for release onto parole when the actual time served equals one-half of the sentence or 20 years, whichever is less, with a minimum term of confinement of two years. Under existing statute, these individuals are eligible for parole when the actual time served equals one-half of the sentence or 30 years, whichever is less, with a minimum term of confinement of two years. The bill would also amend the Government Code to add additional parole considerations for youthful offenders and permit the Board of Pardons and Paroles (BPP) to employ certain mental health professionals to assist with these considerations.

The bill would take effect immediately upon passage by two-thirds majority, or on September 1, 2019 and apply to individuals confined in state correctional institutions on or after the effective date, regardless of whether the offense for which they are confined occurred before, on, or after the effective date of the Act.

Methodology

Decreasing the amount of time an individual must serve before becoming eligible for parole is expected to result in reduced demands on the correctional resources of the State due to shorter terms of confinement in state correctional institutions. Assuming sentencing patterns and release policies not addressed in this bill remain constant, this analysis assumes the provisions of the bill addressing parole eligibility for individuals who were younger than 18 at offense who commit certain offenses would not result in a significant impact on state correctional institutions.

This analysis assumes the provisions of the bill requiring additional parole considerations for youthful offenders would necessitate the BPP employ two additional full-time equivalent (FTE) positions, a psychologist and a clerk. The estimated costs of the two additional FTEs, including salary, benefits, the purchase of two new computers, and other operating expenses would be \$151,422 in fiscal year 2020, \$149,022 in fiscal year 2021, and \$149,022 in each subsequent fiscal year.

The Texas Juvenile Justice Department and the Texas Department of Criminal Justice do not anticipate a significant fiscal impact.

Technology

This analysis assumes the BPP would need to purchase two new computers at a cost of \$2,400 to implement the provisions of the bill.

Local Government Impact

According to the Bexar County Community Supervision and Corrections Department and El Paso County, no significant fiscal impact is anticipated to the counties.

Source Agencies: 644 Juvenile Justice Department, 696 Department of Criminal Justice, 697 Board of Pardons and Paroles

LBB Staff: WP, LBO, LM, JPo, AF, kvel, NA