

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 11, 2019

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

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

IN RE: HB3512 by Pacheco (Relating to community supervision.), **As Introduced**

The fiscal impact of implementing the bill is indeterminate due to the lack of data necessary to determine the number of people whose community supervision would be terminated early under the provisions of the bill. These data are necessary to estimate the fiscal impact of the bill's provisions.

The bill would amend the Code of Criminal Procedure and Government Code as they related to community supervision. Under the provisions of the bill, a judge would be allowed to reduce or terminate the period of community supervision under certain circumstances.

Reducing the period of community supervision under certain circumstances is expected to result in fewer demands upon the correctional resources of counties or of the State due to a decrease in the length of stay of individuals placed under community supervision. The bill may have a positive fiscal impact by decreasing the length of stay of people placed under felony community supervision. Whether the bill would result in a significant fiscal impact cannot be determined due to the lack of data or information related to the number of people whose community supervision would be terminated early under the provisions of the bill. The Office of Court Administration indicates the modifications outlined in the bill's provisions will not result in a significant fiscal impact to the state court system.

Local Government Impact

According to Matagorda and Wharton Counties CSCD: The implementation of provisions of the bill will require much more from CSCDs in terms of court appearances and more reports to the court. Being unable to drug test all clients will reduce CSCDs ability to know which clients are using drugs and intervene if needed. The fiscal impacts of this bill will be felt significantly due to additional staff for court appearances.

According to Bell and Lampasas Counties CSCD: For early discharges, it was assumed that under the bill an additional 10 percent of the cases that were granted early discharged or dismissed on time credits would be added to the number of early dismissals in FY 2018 for felony cases. Assuming that for felony cases there would be a two-year reduction in the term of supervision and taking into account that supervision fees would be lost on 50 percent of the new dismissals with a loss for basic supervision from the state there would be a total additional loss of \$7166 in the next fiscal year. For misdemeanor cases it was assumed that an additional 10 percent of the cases that

were granted early discharge in FY 2018 would be added with the 90 day reduction in the term of supervision and taking into account that supervision fees would be lost on 50 percent of the new dismissals with a loss for basic supervision at .70 cents per day the additional loss in misdemeanor cases would be \$972 in the next fiscal year.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304
Comptroller of Public Accounts, 696 Department of Criminal Justice

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