

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 17, 2019

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

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

IN RE: **HB4460** by Allen (Relating to certain technical violations of conditions of community supervision.), **As Introduced**

The fiscal impact of implementing the bill's provisions is indeterminate due to the lack of data necessary to determine the number of people under community supervision who failed to report to a supervision officer within 180 days or more or who contacted the victim of the offense for which they were placed under community supervision. These data are necessary to estimate the fiscal impact of the bill's provisions.

The bill would amend the Code of Criminal Procedure to prohibit a judge from revoking the community supervision of a person on community supervision for a nonviolent state jail or third degree felony whose violation did not involve an arrest or conviction for an offense, failure to report to a supervision officer within 180 days, or contacting the victim of the offense for which they were placed under community supervision. The bill also amends the Government Code to require the Texas Department of Criminal Justice to adopt policies and procedures regarding any cost savings realized as a part of these provisions.

Reducing the circumstances for the revocation of persons on community supervision is expected to result in fewer demands upon the correctional resources of the state due to a decrease in the number of individuals admitted to state correctional institutions. The bill may have a positive fiscal impact by decreasing the number of people admitted into state correctional institutions. 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 under community supervision who failed to report to a supervision officer within 180 days or more or who contacted the victim of the offense for which they were placed under community supervision. The Office of Court Administration indicates the modifications outlined in the bill's provisions will not result in a significant fiscal impact on the state court system.

Local Government Impact

The fiscal impact to local governments cannot be determined.

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

LBB Staff: WP, LBO, LM, JPo

