

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**March 18, 2019**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

**IN RE: SB2191** by Whitmire (Relating to the confinement of a defendant pending trial.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Code of Criminal Procedure to require that, if a judge denies a defendant's release on bail pending trial or if the defendant is unable to provide the required bail bond to be released, the judge or magistrate would be required to order that the defendant be confined in a jail that is located in this state.

According to the Office of Court Administration (OCA), no significant fiscal implication to the State is anticipated.

**Local Government Impact**

According to OCA, if a county currently houses defendants who are detained pretrial out of the state and the contract costs for that housing is less expensive than housing a defendant in a jail in the state, the bill could result in increased costs to local government. However, the agency does not have information with which to determine if those circumstances exist.

According to the Texas Association of Counties, no significant fiscal impact to counties is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** WP, LBO, SD, GP, AF