

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

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**March 8, 2021**

**TO:** Honorable Victoria Neave, Chair, House Committee on Juvenile Justice & Family Issues

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB686** 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 HB686, As Introduced : a negative impact of (\$312,720) through the biennium ending August 31, 2023.

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:**

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2022	(\$157,460)
2023	(\$155,260)
2024	(\$155,260)
2025	(\$155,260)
2026	(\$155,260)

**All Funds, Five-Year Impact:**

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund</i>	<i>Change in Number of State Employees from FY 2019</i>
2022	(\$157,460)	2.0
2023	(\$155,260)	2.0
2024	(\$155,260)	2.0
2025	(\$155,260)	2.0
2026	(\$155,260)	2.0

**Fiscal Analysis**

The bill would amend the Government Code as it relates to the eligibility for consideration for release onto parole of certain individuals convicted of certain offenses committed when younger than 18 years of age. Under the provisions of the bill, these individuals would be eligible for consideration for release onto parole supervision when the actual time served on a sentence equals one-half of the sentence or 20 years, whichever is less, with a minimum term of confinement of four years. The bill would also amend the Government Code to add additional parole considerations for youth offenders and permit the Board of Pardons and Paroles 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, 2021 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**

Under existing statute, most of these individuals are eligible for parole consideration when the actual time served on a sentence equals one-half of the sentence or 30 years, whichever is less, with a minimum term of confinement of two years. Decreasing the amount of time an individual must serve before becoming eligible for parole consideration is expected to result in reduced demands on the correctional resources of the State due to an opportunity for shorter terms of confinement within state correctional institutions. The bill would also increase the minimum term of confinement from two years to four years and increasing a minimum term of confinement is expected to result in increased demands on the correctional resources of the State. This analysis assumes the provisions of the bill addressing felony sanctions would not result in a significant impact on the demand for state correctional resources.

This analysis assumes the provisions of the bill requiring additional parole considerations for youthful offenders would give rise to the need for the Board of Pardons and Paroles (BPP) to add 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 \$157,460 in fiscal year 2022, \$155,260 in fiscal year 2023 and each subsequent fiscal year.

The Texas Juvenile Justice Department and Texas Department of Criminal Justice indicate the modifications outlined in the bill's provisions will not result in a significant fiscal impact.

### **Technology**

This analysis assumes the BPP would need to purchase two new computers at a cost of \$2,200 to implement the provisions of the bill.

### **Local Government Impact**

According to the Texas Municipal League and Texas Association of Counties, no significant fiscal impact to units of local government is anticipated.

Tarrant County CSCD does not anticipate a fiscal impact to their department.

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

**LBB Staff:** JMc, DKn, LM, SPa, WP, LBO, JPo, AF, kvel, NA