

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 6, 2021

TO: Honorable Andrew S. Murr, Chair, House Committee on Corrections

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1894 by White (Relating to a clemency review of certain felony offenders by the Board of Pardons and Paroles.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1894, As Introduced : an impact of \$0 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	\$0
2023	\$0
2024	\$0
2025	(\$2,136,538)
2026	(\$2,108,522)

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 2021</i>
	1	
2022	\$0	0.0
2023	\$0	0.0
2024	\$0	0.0
2025	(\$2,136,538)	34.0
2026	(\$2,108,522)	34.0

Fiscal Analysis

The bill would amend the Code of Criminal Procedure as it relates the review of clemency for certain felony offenders by the Board of Pardons and Paroles (BPP). The bill would direct BPP to review each person described in the bill in order to identify individuals to recommend for clemency. The bill would require BPP to develop a plan to review certain state jail felony convictions by September 1, 2028; certain third degree felony convictions by September 1, 2035; and certain deferred adjudications by September 1, 2042.

This analysis assumes the provisions of the bill would not result in a significant impact on state correctional populations or on the demand for state correctional resources

Methodology

According to BPP, the clemency application process from review to Board consideration may take year or more before a recommendation could be made to the Governor. The agency would begin to develop a plan to review the additional cases for clemency beginning in fiscal year 2025 in order meet the timeline identified in the bill. BPP anticipates the need for six additional board members, twenty-eight clerical staff, and associated office costs in order to comply with the provisions of the bill. The fiscal impact would be \$2,136,538 in fiscal year 2025 and \$2,108,522 in fiscal year 2026 and each year thereafter until the clemency review is complete.

Technology

BPP anticipates a technology cost of \$28,016 per fiscal year for computers and software.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 697 Board of Pardons and Paroles

LBB Staff: JMc, DKN, KFB, KVEL