

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 6, 2023

TO: Honorable Joe Moody, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB905 by Moody (Relating to credit toward a defendant's sentence for time confined in jail or prison before sentencing.), **As Introduced**

Expanding the type of credit that may be credited toward a sentence may result in reduced demands upon state correctional resources due to a possible decrease in the number of individuals placed and the amount of time spent under supervision in the community or sentenced to a term of confinement. The fiscal implications of the bill cannot be determined due to the lack of statewide data which include all relevant jail or prison confinements a defendant may have served for another case, as well as the duration of such confinements, which would be eligible for credit under the provisions of the bill.

The bill would require the judge of the court in which a defendant is convicted to give the defendant credit towards the defendant's sentence for the time the defendant has spent confined in jail or prison for another case if that confinement occurred after the commission of the offense for which the defendant is convicted and before the date of the defendant's sentencing. The impact on state correctional populations or on the demand for state correctional resources cannot be determined.

Local Government Impact

While the fiscal implications cannot be determined, the bill may result in reduced demands upon local correctional resources due to a possible decrease in the number of individuals placed and the amount of time spent under supervision in the community or sentenced to a term of confinement.

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

LBB Staff: JMc, DDeI, LBO, DGI