

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 23, 2023

TO: Honorable Abel Herrero, Chair, House Committee on Corrections

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1064 by Sherman, Sr. (Relating to the award of good conduct time to certain inmates; changing parole eligibility.), **As Introduced**

Allowing for earlier consideration for release onto parole may result in reduced demands upon state correctional resources due to a possible decrease in the length of stay for individuals sentenced to a term of confinement. The fiscal implications of the bill cannot be determined due to a lack of data to estimate good conduct time that may be granted for demonstrating good behavior, the rate of approval for release onto parole for individuals who would be eligible under the bill's provisions, the subsequent number of individuals released, and the timing of such release.

The bill would authorize the Texas Department of Criminal Justice to grant good conduct time for good behavior as demonstrated by compliance with all applicable department rules. The bill would amend the parole eligibility criteria for certain individuals for which current law does not authorize the consideration of good conduct time to include good conduct time accrued through participation in certain programming. The bill would apply to an individual confined in a state correctional institution on or after the bill's effective date, regardless of whether the offense for which they are confined occurred before, on, or after the effective date.

The impact on state correctional populations or on the demand for state correctional resources cannot be determined due to a lack of data to estimate good conduct time that may be granted for demonstrating good behavior, the rate of approval for release onto parole for individuals who would be eligible under the bill's provisions, the subsequent number of individuals released, and the timing of such release. Based on the February 2023 *Criminal and Juvenile Justice Uniform Cost Report*, the fiscal year 2022 uniform cost per day was \$77.49 for an adult in a systemwide facility and \$4.69 for an adult on active parole supervision.

The Board of Pardons and Paroles estimates an additional 16 full-time equivalent positions would be needed for additional reviews resulting from the implementation of the bill, which would result in an annual cost of approximately \$1.2 million.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

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

LBB Staff: JMc, DDel, LBO, DGI