

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 27, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1708 by Canales (Relating to the temperature at which a facility operated by the Texas Department of Criminal Justice is maintained.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1708, As Introduced : a negative impact of (\$1,124,648,151) through the biennium ending August 31, 2025.

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>
2024	(\$1,104,879,589)
2025	(\$19,768,562)
2026	(\$19,768,562)
2027	(\$19,768,562)
2028	(\$19,768,562)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable (Cost) from General Revenue Fund 1</i>
2024	(\$1,104,879,589)
2025	(\$19,768,562)
2026	(\$19,768,562)
2027	(\$19,768,562)
2028	(\$19,768,562)

Fiscal Analysis

The bill would require the Texas Department of Criminal Justice (TDCJ) to maintain the temperature at each of its facilities between 65 and 85 degrees Fahrenheit. The bill would require TDCJ to comply with the temperature regulation by September 1, 2024. According to TDCJ, it would not be possible to achieve full compliance with the bill's provisions in this timeframe.

Methodology

TDCJ estimates \$1.1 billion in initial air conditioning construction costs to comply with the provisions of the

bill. Additionally, TDCJ estimates an annual cost of \$19.8 million for utilities and maintenance across all housing areas when fully constructed. According to TDCJ, the preliminary fiscal estimate is based on the following assumptions: the provisions of the bill would apply to inmate housing areas only; design and construction time for each unit is approximately three years; a fiscal estimate for each facility would require an engineering assessment; there are a sufficient number of vendors necessary to complete the construction projects; and the electrical grid and unit infrastructure are sufficient to support the increased energy demand.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JMc, DDel, KFB, CSh