

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: HB5114 by Sherman, Sr. (Relating to the award of work-for-time credits to certain persons placed on community supervision or released on parole or to mandatory supervision.), As Introduced

Estimated Two-year Net Impact to General Revenue Related Funds for HB5114, As Introduced : a negative impact of (\$2,200,000) through the biennium ending August 31, 2025.

The impact on state correctional populations or on the demand for state correctional resources cannot be determined due to a lack of employment status data for individuals under supervision needed to estimate the number of individuals who may qualify to receive work-for-time credits under the provisions of the bill. However, allowing for earlier release from supervision may result in reduced demands upon state correctional resources due to a possible decrease in the length of supervision.

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	(\$1,185,067)
2025	(\$1,014,933)
2026	(\$1,014,933)
2027	(\$1,014,933)
2028	(\$1,014,933)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable (Cost) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2023</i>
2024	(\$1,185,067)	18.0
2025	(\$1,014,933)	18.0
2026	(\$1,014,933)	18.0
2027	(\$1,014,933)	18.0
2028	(\$1,014,933)	18.0

Fiscal Analysis

The bill would establish that certain individuals placed on community, parole, or mandatory supervision are entitled to receive work-for-time credits toward the completion of the individual's period of supervision based

on employment and would establish procedures and limitations relating to such credits. The bill would only apply to a person placed on supervision for an offense committed on or after the bill's effective date.

Methodology

Not later than January 1, 2024, the Texas Department of Criminal Justice (TDCJ) would be required to establish a system to record and track work-for-time credits required under the bill's provisions. According to TDCJ, additional information technology equipment and staff would be necessary to implement such a system, including database servers and licenses and six programmers, two system analysts, two system support specialists, two parole officers, two program supervisors, and four administrative assistants. This estimate includes one-time costs and such additional staff in fiscal year 2024 and assumes that only costs related to the additional staff will continue in subsequent fiscal years.

Allowing for earlier release from supervision may result in reduced demands upon state correctional resources due to a possible decrease in the length of supervision. The impact on state correctional populations or on the demand for state correctional resources cannot be determined due to a lack of employment status data for individuals under supervision needed to estimate the number of individuals who may qualify to receive work-for-time credits under the provisions of the bill. Based on the February 2023 *Criminal and Juvenile Justice Uniform Cost Report*, the fiscal year 2022 uniform cost per day was \$4.69 for an individual on active parole supervision and was \$2.24 for an individual on active felony community supervision.

Technology

The majority of the costs associated with the implementation of the bill are due to additional information technology equipment and related staff.

Local Government Impact

While the fiscal impact cannot be determined, allowing for earlier release from supervision may result in reduced demands upon local correctional resources due to a possible decrease in the length of supervision.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 696 Department of Criminal Justice, 697 Board of Pardons and Paroles

LBB Staff: JMc, DDeI, LBO, ESch