LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 21, 2025

TO: Honorable John T. Smithee, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HJR148** by Cook (Proposing a constitutional amendment authorizing the legislature to enact laws providing for a court to grant a commutation of punishment to certain individuals serving a term of imprisonment.), **As Introduced**

Commutation of punishment for individuals serving a term of imprisonment may result in a decrease in demands upon state correctional resources due to a possible decrease in the lengths of stay for confined individuals or in the number of individuals confined. The fiscal implications of the bill cannot be determined due to unknown factors including the number of motions that would be filed, the dispositions of the courts, and the resulting number of individuals released.

The bill would provide for a proposed constitutional amendment for court granted commutation of punishment to certain individuals serving a term of imprisonment.

The impact on state correctional populations and on the demand for state correctional resources would be dependent on the number of motions that would be filed, the dispositions of the courts, and the resulting number of individuals released. Based on the January 2025 Biennial Report on Adult Criminal Justice Populations, Fiscal Years 2018 to 2030, the fiscal year 2024 cost per day for an adult incarcerated within a systemwide state correctional facility was $86.50.

The amendment would be effective only upon voter approval.

The Board of Pardons and Paroles indicates that the fiscal impact cannot be determined as the number of motions that would be filed is unknown.

Local Government Impact

It is assumed that any fiscal impact to units of local government associated with enforcement, prosecution, supervision, or confinement would not be significant.

Source Agencies:

LBB Staff: JMc, MGol, AMr, DGI