

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION  
Revision 1

March 18, 2025

**TO:** Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SB1021** by Huffman (Relating to changing the eligibility for community supervision of a person convicted of stalking.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1021, As Introduced: a positive impact of \$135,428 through the biennium ending August 31, 2027.

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> | Probable Net Positive/(Negative) Impact to<br><i>General Revenue Related Funds</i> |
|--------------------|------------------------------------------------------------------------------------|
| 2026               | \$25                                                                               |
| 2027               | \$135,403                                                                          |
| 2028               | (\$3,025,291)                                                                      |
| 2029               | (\$8,521,240)                                                                      |
| 2030               | (\$14,107,707)                                                                     |

All Funds, Five-Year Impact:

| <i>Fiscal Year</i> | Probable Savings/(Cost) from<br><i>General Revenue Fund</i><br>1 |
|--------------------|------------------------------------------------------------------|
| 2026               | \$25                                                             |
| 2027               | \$135,403                                                        |
| 2028               | (\$3,025,291)                                                    |
| 2029               | (\$8,521,240)                                                    |
| 2030               | (\$14,107,707)                                                   |

Fiscal Analysis

The bill would remove eligibility for judge-ordered community supervision for a defendant adjudged guilty of the offense of stalking.

Methodology

Population trends based on the January 2025 *Biennial Report on Adult Criminal Justice Populations Fiscal Years 2018 to 2030* were analyzed to determine the number of individuals who would no longer be eligible for

community supervision under the bill's provisions and instead would likely be admitted into a state correctional facility.

Based on the Biennial Report, the uniform cost per day for an adult incarcerated in a Texas Department of Criminal Justice systemwide facility was \$86.50. In fiscal year 2024, there were 163 individuals who likely would have been admitted into a state correctional facility instead of being placed on community supervision under the bill's provisions for an offense of stalking. Differences in the average time between offense and admission to a state correctional institution as opposed to placement onto community supervision result in an initial savings by removing people from supervision, followed by a cost beginning in the third year due to increased entries into a state correctional facility. The initial savings are estimated based on the state uniform costs per day for an adult on felony community supervision (\$2.44) and on misdemeanor community supervision (\$0.70).

### **Local Government Impact**

While the fiscal impact to units of local government cannot be determined, it would be contingent on costs associated with enforcement, prosecution, supervision, or confinement related to stalking offenses.

### **Source Agencies:**

**LBB Staff:** JMc, MGol, AMr