

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 28, 2007**

**TO:** Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB541** by Martinez Fischer (Relating to procedures for certain persons charged with certain new offenses or an administrative violation of a condition of release from the Texas Department of Criminal Justice on parole or mandatory supervision. ), **Committee Report 1st House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Government Code allowing a county magistrate to release on bond a person arrested for an administrative violation of parole supervision or certain new offenses. Release on bond would not apply to offenders arrested for a new felony, offenders arrested for certain misdemeanors (offense against a person, intoxication and alcoholic beverage offenses), offenders arrested for family violence offenses, or offenders determined to be a threat to public safety. The bill would also require the Parole Division include notice on the warrants it issues indicating it has determined the person is eligible for release on bond. Under the provision of this bill, a person is eligible for release on bond if the Parole Division determines the person has not previously been convicted of certain offenses (robbery, offenses against a person, family violence offenses), is not on intensive or super-intensive supervision, is not an absconder, and is not a threat to public safety.

The bill would take effect September 1, 2007 and apply only to a person charged with a parole violation on or after the effective date of the Act.

**Local Government Impact**

It is assumed there would be local government savings but the amount of savings would depend on the application of the bill by county magistrates.

**Source Agencies:**

**LBB Staff:** JOB, ES, GG