

**Department of Planning and Budget**  
**2021 Special Session I - Fiscal Impact Statement**

**1. Bill Number:** HB1806 ER

**House of Origin**    ☐ Introduced       ☐ Substitute       ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute       ☒ Enrolled

**2. Patron:** Kilgore

**3. Committee:** Passed both houses

**4. Title:** Suspension or modification of sentence; transfer to the Department of Corrections.

**5. Summary:** Under current law, if anyone who has been sentenced for a felony to the Department of Corrections (DOC) but has not actually been transferred to a receiving unit of the DOC, the court that heard the case may, if it appears compatible with the public interest and there are circumstances in mitigation of the offense, at any time before the person is transferred to the DOC, suspend or otherwise modify the unserved portion of such a sentence. The law allows the court to place the person on probation for such time as the court determines.

The enrolled bill allows the court to suspend or otherwise modify a person's sentence within 60 days of being transferred to the DOC.

**6. Budget Amendment Necessary:** See line 8.

**7. Fiscal Impact Estimates:** Final. See Item 8 below.

**8. Fiscal Implications:** Under the provisions of the enrolled bill, a court may suspend or modify an offender's sentence or place an offender on probation not only before the offender is transferred to the DOC but up to 60 days after the offender has been transferred to the DOC. Accordingly, this bill may impact costs associated with offenders who have already been taken into a DOC facility. However, it is not possible to estimate the number of offenders who may be impacted, the ultimate disposition of their sentences, or the length of time each may spend in a DOC facility before they are released. Therefore, the impact this bill may have cannot be determined at this time. This bill is not expected to have a fiscal impact on Courts or the Compensation Board.

**9. Specific Agency or Political Subdivisions Affected:** Department of Corrections, Local and Regional Jails, Courts

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None