

Fiscal Note Request SB0035, Second Reading

(continued)

Judiciary

7. This bill clarifies the treatment of the developmentally disabled in determining if a defendant is fit to proceed and is convicted of a crime.
8. The Judicial Branch is responsible for the costs of evaluating defendants with mental illnesses and developmental disabilities for fitness to proceed. Costs include keeping the defendant in the appropriate institution and travel to and from the institution.
9. The DPHHS estimates that there will be one evaluation over the next biennium. The DPHHS estimates costs to be \$25,645 in FY2004. The Judicial Branch will reimburse these costs to the DPHHS from the general fund.

Department of Corrections

10. DOC may be impacted by a reduction in new inmates, but the DOC has no method to quantify the number of individuals involved.
11. General fund cost for incarceration of a male inmate is approximately \$18,500 per year in a contract bed and the cost of incarceration of a female inmate is approximately \$23,700 per year in a contract bed. Costs would be slightly lower if convicted felons were placed in Pre-Release Centers and would be approximately \$1,350 per year if placed on probation.

FISCAL IMPACT:

Department of Public Health and Human Services

	<u>FY 2004</u> <u>Difference</u>	<u>FY 2005</u> <u>Difference</u>
<u>Revenues:</u>		
General Fund (01)	\$25,645	\$0
<u>Judiciary</u>		
<u>Expenditures:</u>		
Operating Expenses	\$25,645	\$0
<u>Funding of Expenditures:</u>		
General Fund (01)	\$25,645	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>		
General Fund (01)	\$0	\$0