



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill # HB0174

Title: Revise reimbursement of counties for detention costs

Primary Sponsor: Lambert, C.

Status: As Introduced

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Significant Local Gov Impact | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
Expenditures:				
General Fund	\$6,523,667	\$6,523,667	\$6,523,667	\$6,523,667
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>(\$6,523,667)</u>	<u>(\$6,523,667)</u>	<u>(\$6,523,667)</u>	<u>(\$6,523,667)</u>

Description of fiscal Impact:

This bill would require the Department of Corrections to pay for the cost of incarcerating all defendants at a county detention facility from the time the offender is found guilty, pleads guilty or pleads nolo contendere or when DOC arrests someone on a probation/parole revocation.

FISCAL ANALYSIS

Assumptions:

1. The current average daily contract rate in county jails for males and females is \$61.80 per day.
2. The Department of Corrections would be required to pay for probation violator time in county jail from arrest to court revocation action date. In FY 2005 there were 844 probation violators processed.
3. The time between arrest and court revocation for probation violators is as follows: 25 percent stay an additional eight days, 25 percent stay an additional 31 days, 25 percent stay an additional 65 days and 25 percent stay an additional 168 days. [(844 x .25 x 8 x \$61.80=\$104,318.40) + (844 x .25 x 31 x \$61.80=\$404,233.80) + (844 x .25 x 65 x \$61.80=\$847,587) + (844 x .25 x 168 x \$61.80=\$2,190,686.40)]
4. DOC would be required to pay for days between conviction and sentencing of new commitments. In FY 2005 there were 768 new commitments.

5. The time between plea or verdict and sentencing for new commits is as follows: 26 percent are sentenced upon conviction, 29 percent stay an additional 43 days, 29 percent stay 85 days and 16 percent stay 160 days. [(768 x .29 x 43 x \$61.80=\$591,856.13) + (768 x .29 x 85 x \$61.80=\$1,169,948.16) + (768 x .16 x 160 x \$61.80=\$1,215,037.44)]
6. The cost to the state will rise as county jail hold rates increase.

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
<u>Fiscal Impact:</u>				
<u>Expenditures:</u>				
Operating Expenses	\$6,523,667	\$6,523,667	\$6,523,667	\$6,523,667
<u>Funding of Expenditures:</u>				
General Fund (01)	\$6,523,667	\$6,523,667	\$6,523,667	\$6,523,667
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$6,523,667)	(\$6,523,667)	(\$6,523,667)	(\$6,523,667)

Effect on County or Other Local Revenues or Expenditures:

1. Currently counties are responsible for confinement costs of probationers until they are revoked and new commitments until they are sentenced to DOC. This bill would change that and create additional revenue to counties.

Sponsor's Initials

Date

Budget Director's Initials

Date