



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill # HB0643

Title: Revise sexual predator laws

Primary Sponsor: Sinrud, John

Status: As Introduced

- Significant Local Gov Impact
 Needs to be included in HB 2
 Technical Concerns
 Included in the Executive Budget
 Significant Long-Term Impacts
 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	\$492,158	\$1,359,997	\$2,267,067	\$3,137,031
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>(\$492,158)</u>	<u>(\$1,359,997)</u>	<u>(\$2,267,067)</u>	<u>(\$3,137,031)</u>

Description of Fiscal Impact:

Fiscal impact would result from offenders, who under current laws would be sentenced to probation for committing certain sex crimes, now be sentenced to prison under the provisions of this bill. Long term fiscal impact would result from increasing mandatory minimum sentences for these crimes to 25 years without the possibility of parole and instating lifetime probation with GPS monitoring.

FISCAL ANALYSIS

Assumptions:

Department of Corrections

1. The Department of Corrections estimates 32 offenders, who would be sentenced to probation under current law for committing certain sex crimes, would now be sentenced to prison under this bill.
2. Using the Montana State Prison current average cost per day of \$75.88 the cost for 32 offenders in FY 2008 equals \$492,158 due to a staggered and compounding entrance into prison. An additional 32 offenders in FY 2009 would cost DOC \$1,359,997 compounding on an additional 32 offenders in FY 2010 to \$2,267,067 and in FY 2011 to \$3,137,031.
3. The current average length of stay in prison for offenders convicted of sex offenses is five years. An additional increase in cost for offenders already in prison for these offenses will occur after five years.

Lifetime probation and GPS monitoring will not occur until 2033 after the minimum mandatory 25 year sentence is served.

4. Currently the cost per day for GPS monitoring is \$8.82. In FY 2033, the cost for 32 offenders on GPS monitoring will be \$8,582 based on the current cost.

	<u>FY 2008</u> <u>Difference</u>	<u>FY 2009</u> <u>Difference</u>	<u>FY 2010</u> <u>Difference</u>	<u>FY 2011</u> <u>Difference</u>
<u>Fiscal Impact:</u>				
Department of Corrections				
<u>Expenditures:</u>				
Operating Expenses	\$492,158	\$1,359,997	\$2,267,067	\$3,137,031
<u>Funding of Expenditures:</u>				
General Fund (01)	\$492,158	\$1,359,997	\$2,267,067	\$3,137,031
<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)	(\$492,158)	(\$1,359,997)	(\$2,267,067)	(\$3,137,031)

Sponsor's Initials

Date

Budget Director's Initials

Date