



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2023 Biennium

Bill # HB0578

Title: Revise laws related to commitment of defendants

Primary Sponsor: Moore, Terry

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 2022 Difference</u>	<u>FY 2023 Difference</u>	<u>FY 2024 Difference</u>	<u>FY 2025 Difference</u>
Expenditures:				
General Fund	\$65,704	\$62,904	\$64,984	\$66,024
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>(\$65,704)</u>	<u>(\$62,904)</u>	<u>(\$64,984)</u>	<u>(\$66,024)</u>

Description of fiscal impact: HB 578 will have a fiscal impact to the Department of Corrections (DOC). The DOC does not currently have the staffing to review each case and make the documentation and written notification for every offender who is not transferred to the department within five days of the oral pronouncement of the sentencing. The DOC would require a full-time employee to be able to complete the bills request.

FISCAL ANALYSIS

Assumptions:

Department of Corrections

1. The Department has no direct placement authority at its contracted community corrections facilities and each facility maintains its own waiting list. Some offenders may be placed within the five-day period if they had been pre-screened and there was bed availability, but each contractor has a screening process in place.
2. There would need to be a system implemented to ensure DOC was notified of sentencing. In some cases, the department is not immediately notified that an offender was sentenced in district court.
3. HB 578 could also impact placements out of secure facilities and offenders transferring between facilities, as those placements would be delayed accommodating the mandated movement of newly sentenced offenders.
4. The bill would impact Probation and Parole Division's ability to use contracted facilities for sanctions. DOC would need to increase transportation infrastructure to accommodate quicker turnaround.

5. DOC will require 1.00 FTE to facilitate 2,346 commitments each year based on FY 2020 actuals. The annual cost of the FTE is \$ \$62, 904 in FY 2024 and FY 2025 with one-time-only operating costs in FY 2024. A 1.5% per year inflation factor is applied in the 2025 biennium.

	<u>FY 2022 Difference</u>	<u>FY 2023 Difference</u>	<u>FY 2024 Difference</u>	<u>FY 2025 Difference</u>
<u>Fiscal Impact:</u>				
FTE	1.00	1.00	1.00	1.00
<u>Expenditures:</u>				
Personal Services	\$62,904	\$62,904	\$63,848	\$64,805
Operating Expenses	\$2,800	\$0	\$0	\$0
TOTAL Expenditures	<u>\$65,704</u>	<u>\$62,904</u>	<u>\$63,848</u>	<u>\$64,805</u>
<u>Funding of Expenditures:</u>				
General Fund (01)	\$65,704	\$62,904	\$64,984	\$66,024
TOTAL Funding of Exp.	<u>\$65,704</u>	<u>\$62,904</u>	<u>\$64,984</u>	<u>\$66,024</u>
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
TOTAL Revenues	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$65,704)	(\$62,904)	(\$64,984)	(\$66,024)

NOT SIGNED BY SPONSOR

Sponsor's Initials

3/1/21

Date

RE for KA

Budget Director's Initials

3/1/21

Date