

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5335-01
Bill No.: SB 1269
Subject: Bond–Bail; Criminal Procedure; Immigration
Type: Original
Date: March 4, 2008

Bill Summary: The proposal prohibits illegal aliens from being released pending trial, appeal, or any other proceeding.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Total Estimated Net Effect on FTE	0	0	0

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Local Government	(More than \$100,000)	(More than \$100,000)	(More than \$100,000)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Boone County Sheriff's Department** assume they would incur costs of \$62.50 per day per suspected illegal alien in custody, that must remain in custody until their status in the US is verified. If the person is illegally in the US, Boone County Sheriff's Department would incur costs of \$62.50 per day until the case is adjudicated. Officials assume the cost of this legislation on sheriff's departments with jails could be substantial.

Officials from the **St. Louis County Department of Justice Services** assume they are unable to determine if the US Immigration authorities would reimburse any costs to local jails for persons found to be illegal. Officials state the inmate per diem costs in St. Louis County are approximately \$80. Officials assume an indeterminate number of suspected illegal persons that would be held and an indeterminate number of days held. Officials state 20 persons incarcerated per week, or 80 per month, held for just one day would cost approximately \$80,000 annually for the incarceration. Costs would be approximately \$160,000 if the person was held for two days. Officials state additional significant costs would be incurred for overtime if jail overcrowded conditions result or if local jails need to contract for more bed space.

Oversight assumes local law enforcement agencies would incur increased costs for holding the suspected illegal aliens in custody. Based on information received from local law enforcement agencies, Oversight assumes the cost could exceed \$100,000 per fiscal year.

Officials from the Buchanan County Sheriff's Department, Clark County Sheriff's Department, Greene County Sheriff's Department, and the Platte County Sheriff's Department did not respond to Oversight's request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
POLITICAL SUBDIVISIONS			
<u>Costs – Local Law Enforcement Agencies</u>			
Detention costs	<u>(More than \$100,000)</u>	<u>(More than \$100,000)</u>	<u>(More than \$100,000)</u>
ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS	<u>(More than \$100,000)</u>	<u>(More than \$100,000)</u>	<u>(More than \$100,000)</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

The proposed legislation prohibits illegal aliens from being released pending trial, appeal, or any other proceeding.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

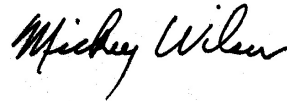
SOURCES OF INFORMATION

Office of State Courts Administrator
Boone County Sheriff's Department
St. Louis County Department of Justice Services

L.R. No. 5335-01
Bill No. SB 1269
Page 5 of 5
March 4, 2008

NOT RESPONDING

**Buchanan County Sheriff's Department
Clark County Sheriff's Department
Greene County Sheriff's Department
Platte County Sheriff's Department**



Mickey Wilson, CPA
Director
March 4, 2008