

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5264-02
Bill No.: SB 903
Subject: Appropriations; Department of Corrections; County Government; Crimes and Punishment; Prisons and Jails
Type: Original
Date: February 8, 2016

Bill Summary: This proposal modifies the state's requirements to reimburse counties for certain costs related to imprisonment and electronic monitoring for criminal offenders.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
General Revenue	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on General Revenue	(Unknown)	(Unknown)	(Unknown)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
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 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Local Government	Unknown	Unknown	Unknown

FISCAL ANALYSIS

ASSUMPTION

Oversight was unable to receive some of the agency responses in a timely manner due to the short fiscal note request time. Oversight has presented this fiscal note on the best current information that we have or on prior year information regarding a similar bill. Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval of the chairperson of the Joint Committee on Legislative Research to publish a new fiscal note.

Officials from the **Office of the State Courts Administrator** assume the proposal would not fiscally impact their agency.

Officials from **Cole County** and **Callaway County** each assume this would positively impact their respective counties.

Oversight notes that according to budget submissions from the Department of Corrections, the state reimbursed counties for the past three fiscal years for Certificates of Delivery, extradition expenses, and for the cost of incarceration. As of July 1, 2015 the reimbursement rate is \$20.58 per day:

	FY 2013	FY 2014	FY 2015
Certificates of Delivery	\$ 2,022,861	\$ 1,892,884	\$ 1,943,466
Extradition expenses	\$ 1,788,868	\$ 1,506,710	\$ 2,226,330
Incarceration expenses	<u>\$34,248,866</u>	<u>\$33,518,451</u>	<u>\$39,143,794</u>
TOTAL	\$38,060,595	\$36,918,595	\$43,313,590

Without a response from the Department of Corrections, **Oversight** will assume the proposal will increase the state reimbursement payments to the counties by an unknown amount.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
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GENERAL REVENUE

<u>Costs</u> - Department of Corrections change in reimbursement for costs of incarceration	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT TO GENERAL REVENUE	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
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COUNTIES

<u>Revenue</u> - payments from the Department of Corrections - change in reimbursement for costs of incarceration	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
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ESTIMATED NET EFFECT TO COUNTIES	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
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FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

Under current law, the state must reimburse counties for the cost of imprisoning a criminal offender who is eventually sentenced to the Department of Corrections for the time the offender spent in the county jail. This act provides that, for those charged with felony offenses, the state must reimburse counties for the cost of imprisonment beginning on the date felony charges are filed against the prisoner by the county prosecutor, and after the offender is convicted of the state charge, regardless of whether the offender is sentenced to imprisonment in the Department of Corrections, to the county jail, or only sentenced to pay a fine. In addition, the state must pay 100 percent of the costs of the electronic monitoring of felony offenders.

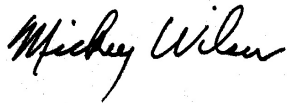
FISCAL DESCRIPTION (continued)

This act specifies that, if the defendant is sentenced to imprisonment or to pay a fine or both for a violation of a county ordinance or misdemeanor offense and cannot pay the costs, the county must pay the costs and may seek reimbursement from the defendant.

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 the State Courts Administrator
Cole County
Callaway County



Mickey Wilson, CPA
Director
February 8, 2016

Ross Strope
Assistant Director
February 8, 2016