

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2301-01  
Bill No.: SB 509  
Subject: Crimes and Punishment; Prisons and Jails  
Type: Original  
Date: March 30, 2017

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**Bill Summary:** This proposal sets a maximum of fourteen days of state reimbursement to county governments who hold certain prisoners who are not charged with dangerous felonies or murder.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
General Revenue	Unknown	Unknown	Unknown
<b>Total Estimated Net Effect on General Revenue</b>	<b>Unknown</b>	<b>Unknown</b>	<b>Unknown</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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 2018	FY 2019	FY 2020
<b>Local Government</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

## **FISCAL ANALYSIS**

### **ASSUMPTION**

Officials from the **Department of Corrections (DOC)** state the impact resulting from this proposed legislation is unknown, but it could reduce reimbursements to counties. Pursuant to RSMo 550.020, in all cases where a defendant is convicted of an offense punishable solely by imprisonment in the penitentiary and sentenced to imprisonment, the state shall pay costs. This bill would not increase the number of payments, however, it may reduce the amount paid to counties because of those not charged with a dangerous felony as defined in section 556.061 or with the offense of murder in the first degree pursuant to section 565.020.

The department does not track the number of cases that fall into 556.061 and 565.020, therefore, we cannot provide an accurate financial impact, only that the reimbursement to counties would be reduced.

An additional impact to the Department would be that each case would have to be researched by the county reimbursement staff to verify the exact charge for each case to ensure the 14 day limit is enforced for those cases meeting the criteria stated. This would result in the department requesting additional information from the county to make an accurate assessment. The exact amount of additional time spent on each case cannot be determined.

Another consideration is if offenders spend less time in county jails as a result of this legislation and come in with less jail time credit, it could affect the prison population and increase the impact.

Officials from **Boone County** state they calculate the cost of keeping a detainee in jail at a minimum of \$72 per day.

In response to another bill from this session regarding county reimbursements (SB 413), officials from the **Office of Administration - Budget and Planning (BAP)** stated the FY 2017 reimbursement rate was appropriated at \$22.58 per offender per day, but is currently being paid at \$21.08 due to an expenditure restriction resulting from below forecast revenues.

Officials from numerous counties, including several county sheriffs did not respond to **Oversight's** request for fiscal impact for this bill.

ASSUMPTION (continued)

**State appropriated daily incarceration rate per offender**

Year	Reimbursement Rate
7/1/98 - 6/30/02	\$22.50
7/1/02 -6/30/07	\$20.00
7/1/07 -6/30/08	\$21.25
7/1/08 - 6/30/10	\$22.00
7/1/10 -9/30/14	\$19.58
10/1/14-6/30/15	\$21.58
7/1/15 - 6/30/16	\$20.58
7/1/16 - current	\$21.08

Source: Department of Corrections

**Total Reimbursements Paid by DOC to Counties**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (appropriated)
Transportation	\$2,022,861	\$1,892,884	\$1,961,275	\$2,282,801	\$1,900,000
Extradition	\$1,788,868	\$1,506,710	\$2,225,073	\$1,307,207	\$1,900,000
Costs of incarceration	\$34,248,319	\$33,518,537	\$39,143,794	\$36,226,992	\$39,530,272
<b>Total</b>	<b>\$38,060,048</b>	<b>\$36,918,131</b>	<b>\$43,330,142</b>	<b>\$39,817,000</b>	<b>\$43,330,272</b>

Source: Department of Corrections

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
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## **GENERAL REVENUE FUND**

<u>Savings</u> - DOC - in certain circumstances, sets a maximum of 14 days of state reimbursements to county governments for holding prisoners	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
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<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
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## **COUNTIES**

<u>Loss</u> - potential decrease in reimbursement from the state	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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<b>ESTIMATED NET EFFECT TO COUNTIES</b>	<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

This act provides that, in instances where the state reimburses political subdivisions for the costs of incarcerating certain prisoners, and those prisoners have not been charged with a dangerous felony or first-degree murder, the total costs chargeable to the state shall not exceed fourteen times the effective daily rate of reimbursement.

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

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SOURCES OF INFORMATION

Department of Corrections  
Office of Administration - Budget and Planning  
Boone County



Mickey Wilson, CPA  
Director  
March 30, 2017

Ross Strope  
Assistant Director  
March 30, 2017