

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4898S.01I
 Bill No.: SB 1023
 Subject: Probation and Parole; Prisons and Jails; Department of Corrections; Attorneys;
 Governor & Lieutenant Governor
 Type: Original
 Date: March 6, 2022

Bill Summary: This proposal modifies provisions regarding the supervision of adult offenders on probation or parole from other states.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
General Revenue	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
Total Estimated Net Effect on General Revenue	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Missouri Interstate Compact Fund	Less than \$293,854	Less than \$352,625	Less than \$352,625
Total Estimated Net Effect on <u>Other</u> State Funds	Less than \$293,854	Less than \$352,625	Less than \$352,625

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§217.035, 217.650, 217.670, 217.710, 217.720, 548.241, 589.564, and 589.565 – Interstate compact

Officials from the **Department of Corrections (DOC)** state in 2021, Missouri submitted 3,359 outgoing transfers for Interstate Compact. This figure will be used to estimate the number of transfers in all subsequent years. Approximately 40% of transfers or 1,344 offenders (3,359 x .40) are projected to be indigent and would receive a waiver of the \$175 fee. The DOC assumes the remaining 2,015 offenders would be able to pay the \$175 application fee required for transfer.

At most, there will be \$293,854 (2,015 offenders x \$175) revenue deposited into the Missouri Interstate Compact Fund in FY 2023, which shall be used for the costs of administration of these provisions.

	Number of Interstate Compact Transfer Applications	Cost per Transfer	Total Revenue Collected
Year 1	2,015	(\$175)	(\$293,854)
Year 2	2,015	(\$175)	(\$352,625)
Year 3	2,015	(\$175)	(\$352,625)
Year 4	2,015	(\$175)	(\$352,625)
Year 5	2,015	(\$175)	(\$352,625)
Year 6	2,015	(\$175)	(\$352,625)
Year 7	2,015	(\$175)	(\$352,625)
Year 8	2,015	(\$175)	(\$352,625)
Year 9	2,015	(\$175)	(\$352,625)
Year 10	2,015	(\$175)	(\$352,625)

Oversight does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's impact for fiscal note purposes.

Oversight notes under current law, all necessary expenses accrued as a result of a person being returned to Missouri pursuant to the Interstate Compact for the Supervision of Parolees and Probationers shall be paid out of the state treasury. This act repeals this provision and provides that any person being returned to Missouri pursuant to the Interstate Compact for Adult Offender

Supervision shall be paid out of either the "Missouri Interstate Compact Fund" or out of the state treasury.

Section 589.565 states a Missouri probationer or parolee requesting a transfer of their supervision through this compact shall pay a \$175 application fee and these moneys will be used for the sole benefit of the DOC in support of the administration of this section. Therefore, for purposes of this fiscal note, Oversight assumes transportation expenses will be paid out of the Missouri Interstate Compact Fund and will reflect a negative unknown cost to the fund. However, if the Missouri Interstate Compact Fund does not have moneys available due to the number of offenders granted a waiver of the transfer application fee, there could be an impact to the state treasury. Oversight has requested additional information from the Department of Corrections; however, until it is clarified, Oversight will assume the state treasury is the General Revenue Fund and will reflect a potential savings from the deletion of §217.810.4.

Officials from the **Office of the Governor**, the **Missouri Office of Prosecution Services**, the **Office of the State Courts Administrator**, and the **Office of the State Treasurer** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other county prosecutors and circuit clerks were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

FISCAL DESCRIPTION

This act modifies provisions relating to the supervision of adult offenders on probation or parole from other states.

MISSOURI STATE COMPACT FUND (Section 589.565)

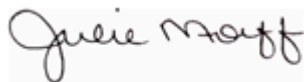
Under this act, a Missouri probationer or parolee seeking transfer of his or her supervision pursuant to the Interstate Compact for Adult Offender Supervision shall pay a \$175 fee for each application, unless waived by the compact commissioner for an undue economic burden on the offender.

This act establishes the "Missouri State Compact Fund" and all fees collected by the commissioners shall be paid to the Fund. The money from the Fund shall be used for the sole benefit of the Department of Corrections to pay the expenses of the Interstate Compact for Adult Offender Supervision.

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

Department of Corrections
Missouri Office of Prosecution Services
Office of the Governor
Office of the State Courts Administrator
Office of the State Treasurer



Julie Morff
Director
March 6, 2022



Ross Strobe
Assistant Director
March 6, 2022