

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0035-01  
Bill No.: HB 588  
Subject: Crimes and Punishment; Criminal Procedure; Probation and Parole  
Type: Original  
Date: April 14, 2009

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Bill Summary: The proposal requires the Board of Probation and Parole to make periodic reviews of certain convicted offenders serving sentences of 50 years of life without the possibility of parole.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	Unknown	Unknown	Unknown
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>Unknown</b>	<b>Unknown</b>	<b>Unknown</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
<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 4 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- 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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Office of the Governor** and the **Office of the State Public Defender** assume the proposal would have no fiscal impact on their agencies.

In response to a similar proposal from the 2008 session (HB 1778, LR # 3803-01), officials from the **Office of the Attorney General** assumed any potential costs arising from this proposal can be absorbed within existing resources.

In response to a similar proposal from the 2008 session (HB 1778, LR # 3803-01), officials from the **Office of State Courts Administrator** assumed the proposed legislation would have no fiscal impact on the courts.

Officials from the **Department of Corrections (DOC)** assume the fiscal impact due to passage of this proposal is “Unknown” for the DOC. Probation and Parole Board recommendations cannot be estimated, nor can actions of the Governor. Any paroles and/or pardons could result in incarceration savings due to release from prison, but this impact cannot be estimated.

Officials from the **Office of Prosecution Services** assume the proposal would have no measurable fiscal impact the Office of Prosecution Services or county prosecutors.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
<b>GENERAL REVENUE FUND</b>			
<u>Savings</u> – Department of Corrections			
Reduced incarceration time	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>	<b><u>Unknown</u></b>	<b><u>Unknown</u></b>	<b><u>Unknown</u></b>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2010 (10 Mo.)	 FY 2011	 FY 2012
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

### FISCAL IMPACT - Small Business

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

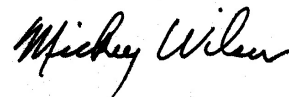
### FISCAL DESCRIPTION

The proposed legislation requires the Board of Probation and Parole within the Department of Corrections to thoroughly review every three years the case history and prison record of certain offenders incarcerated in a correctional institution with a sentence that includes 50 years or life with no possibility for parole. After the review, the board will report to the Governor with a recommendation to grant or deny executive clemency. A copy of the report is also to be given to the offender. Offenders who are released will remain under the supervision of the board for as long as the board deems necessary.

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 Attorney General  
Office of the Governor  
Office of State Courts Administrator  
Department of Corrections  
Office of Prosecution Services  
Office of the State Public Defender



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Director  
April 14, 2009