

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0495-01
Bill No.: HB 137
Subject: Criminal Procedure; Law Enforcement Officers and Agencies; Probation and Parole
Type: Original
Date: February 11, 2009

Bill Summary: The proposal eliminates the payment of an intervention fee as a condition of parole.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	\$0	(More than \$100,000)	(More than \$100,000)
Total Estimated Net Effect on General Revenue Fund	\$0	(More than \$100,000)	(More than \$100,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Inmate Revolving	(More than \$100,000)	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	(More than \$100,000)	\$0	\$0

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

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

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
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 2010	FY 2011	FY 2012
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Corrections (DOC)** state parole intervention fees collected from offenders would be lost due to passage of this proposal. The annual amount per offender is \$360 or \$30 per month. There are currently approximately 16,000 parolees and although the collection rate isn't 100%, the potential exists for a substantial fiscal impact.

Parole intervention fees are currently paid into the Inmate Revolving Fund (IRF). The IRF is used for the Electronic Monitoring Program, Residential Facilities, and Substance Abuse Treatment, etc. Due to passage of this proposal, the potential exists for requiring General Revenue funds to pick up funding in these critical areas.

In summary, the potential fiscal impact for the DOC is unknown, but expected to easily exceed \$100,000 per annum. Any General Revenue effect would begin in the year following passage of this proposal due to the time line of the appropriation process.

Oversight assumes there would be losses of revenue to the Inmate Revolving Fund in FY 2010, FY 2011, and FY 2012. Oversight assumes the Department of Corrections would seek increased General Revenue appropriations in FY 2011 and FY 2012 and has reflected a savings to the inmate Revolving Fund in FY 2011 and FY 2012 for programs currently paid from the Inmate Revolving Fund which will be paid from the General Revenue fund.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
GENERAL REVENUE FUND			
<u>Costs – Department of Corrections</u>			
For programs currently paid from the Inmate Revolving Fund	<u>\$0</u>	<u>(More than \$100,000)</u>	<u>(More than \$100,000)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>\$0</u>	<u>(More than \$100,000)</u>	<u>(More than \$100,000)</u>

<u>FISCAL IMPACT - State Government</u> (continued)	FY 2010 (10 Mo.)	FY 2011	FY 2012
INMATE REVOLVING FUND			
<u>Savings</u> – Department of Corrections	\$0	More than \$100,000	More than \$100,000
<u>Losses</u> – Department of Corrections Elimination of parole intervention fees	<u>(More than \$100,000)</u>	<u>(More than \$100,000)</u>	<u>(More than \$100,000)</u>
ESTIMATED NET EFFECT ON INMATE REVOLVING FUND	<u>(More than \$100,000)</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

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

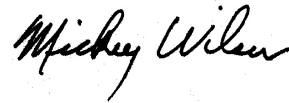
FISCAL DESCRIPTION

The proposed legislation eliminates the payment of an intervention fee as a condition of parole.

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

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
February 11, 2009