

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5420-01
Bill No.: HB 1963
Subject: Department of Corrections; Probation and Parole; Prisons and Jails
Type: Original
Date: January 11, 2016

Bill Summary: This proposal authorizes the early parole of certain offenders over the age of 65.

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | | |
|--|-----------------|-----------------|-----------------|-----------------------------|
| FUND AFFECTED | FY 2017 | FY 2018 | FY 2019 | Fully Implemented (FY 2026) |
| General Revenue | \$32,750 | \$48,103 | \$57,243 | \$178,941 |
| Total Estimated Net Effect on General Revenue | \$32,750 | \$48,103 | \$57,243 | \$178,941 |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | | |
|--|------------|------------|------------|-----------------------------|
| FUND AFFECTED | FY 2017 | FY 2018 | FY 2019 | Fully Implemented (FY 2026) |
| | | | | |
| | | | | |
| Total Estimated Net Effect on Other State Funds | \$0 | \$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 | Fully Implemented (FY 2026) |
| | | | | |
| | | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE) | | | | |
|---|----------------|----------------|----------------|------------------------------------|
| FUND AFFECTED | FY 2017 | FY 2018 | FY 2019 | Fully Implemented (FY 2026) |
| | | | | |
| | | | | |
| Total Estimated Net Effect on FTE | 0 | 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 | Fully Implemented (FY 2026) |
| Local Government | \$0 | \$0 | \$0 | \$0 |

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Corrections (DOC)** state this bill authorizes the early parole of certain offenders over the age of 65.

After 10 years, the DOC will have 28 fewer offenders in prison and 10 more on parole. As a comparison, it is useful to note that five female offenders serving life without parole for Murder 1st degree have been paroled under section 217.690 since 2010. The application of this bill is much broader than 217.690 and it is reasonable to assume a larger impact on a population that is 65 or over.

DOC assumes this legislation will result in long term cost avoidance. Potential cost avoidance would vary according to the population affected by this legislation. The DOC cost of incarceration is \$16,809 per day or an annual amount of \$6,135 per offender.

DOC assumes a cost avoidance of \$32,750 in FY 2017 based on 10 persons on probation instead of in prison, \$48,103 in FY 2018 based on 12, \$57,243 in FY 2019 based on 14, and \$178,941 in FY 2026 based on 28 persons (fully implemented).

Officials from the **Office of the Governor** assume the proposal will have no fiscal impact on their organization.

| | | | | |
|---|---------------------|---------|---------|-----------------------------------|
| <u>FISCAL IMPACT - State</u> <u>Government</u> | FY 2017 (10 Mo.) | FY 2018 | FY 2019 | Fully Implemented (FY 2026) |
|---|---------------------|---------|---------|-----------------------------------|

GENERAL REVENUE

| | | | | |
|---|-----------------|-----------------|-----------------|------------------|
| <u>Savings - Department of Corrections - from reduced incarceration expense for offenders that meet the criteria in the proposal and are released</u> | <u>\$32,750</u> | <u>\$48,103</u> | <u>\$57,243</u> | <u>\$178,941</u> |
|---|-----------------|-----------------|-----------------|------------------|

| | | | | |
|---|------------------------|------------------------|------------------------|-------------------------|
| ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND | <u>\$32,750</u> | <u>\$48,103</u> | <u>\$57,243</u> | <u>\$178,941</u> |
|---|------------------------|------------------------|------------------------|-------------------------|

| | | | | |
|---|---------------------|------------|------------|-----------------------------------|
| <u>FISCAL IMPACT - Local</u> <u>Government</u> | FY 2017 (10 Mo.) | FY 2018 | FY 2019 | Fully Implemented (FY 2026) |
| | <u>\$0</u> | <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

This proposal specifies that any incarcerated offender 65 years of age or older who has no prior felony convictions of a violent nature and who is serving a sentence of life without parole for a minimum of 50 years or more must receive a parole hearing upon serving 25 years or more of his or her sentence.

The Board of Probation and Parole within the Department of Corrections must determine whether there is a reasonable probability that the offender will not violate the law upon release and therefore is eligible for release based upon a finding that the offender meets specified criteria.

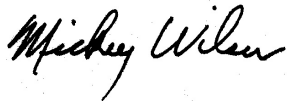
FISCAL DESCRIPTION (continued)

Any offender who is not granted parole under these provisions must be eligible for reconsideration every two years until a presumptive release date is established.

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
Office of the Governor



Mickey Wilson, CPA
Director
January 11, 2016

Ross Strobe
Assistant Director
January 11, 2016