

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3672-01
Bill No.: Perfected HB 1296
Subject: Department of Corrections; Prisons and Jails; Crimes and Punishment
Type: Original
Date: February 4, 2020

Bill Summary: This proposal prohibits two-way telecommunication devices and their component parts in correctional centers and jails.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on FTE	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 2021	FY 2022	FY 2023
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§221.111 - Two-way telecommunications devices in correctional centers and jails

Oversight notes the **Department of Corrections (DOC)** has stated the proposal would not have a direct fiscal impact on their organization. The DOC states there are very few violations of two-way telecommunication devices and their component parts by visitors, and it is already on the list of illegal contraband in correctional centers and jails.

In response to a similar proposal from 2019 (HB 70), DOC stated a six-year average was approximately 30 violations annually. Currently, the violation is a minor violation-confiscation, and the offender spends up to 20 days in disciplinary segregation and loss of privileges. With the passage of this bill, courts would make the determination as to any extra time imposed on the offender's sentence. If the court decides the sentence will run concurrently with the sentence the offender is already serving, the offender's time in prison or on parole would not be extended. However, if the offender now must serve additional time at the end of his or her scheduled sentence, this would (at some point depending on when the prisoner would have been released if not for this new charge) increase the prison population and result in additional costs for DOC.

Oversight does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's no impact for fiscal note purposes.

Officials from the **Missouri Office of Prosecution Services (MOPS)** assume the proposal will have no measurable fiscal impact on MOPS.

Oversight notes the **Department of Public Safety - Missouri State Highway Patrol**, the **Office of State Courts Administrator**, and the **State Public Defender's Office** have each stated the proposal would not have a direct 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.

<u>FISCAL IMPACT - State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Local Government

FY 2021
(10 Mo.)

FY 2022

FY 2023

\$0

\$0

\$0

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 appears to have no direct fiscal impact.

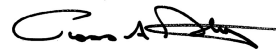
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Corrections
Department of Public Safety -
 Missouri State Highway Patrol
Missouri Office of Prosecution Services
Office of State Courts Administrator
State Public Defender's Office



Julie Morff
Director
February 4, 2020



Ross Strope
Assistant Director
February 4, 2020