

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5534-01  
Bill No.: HB 2612  
Subject: Crimes and Punishment; Probation and Parole; Department of Corrections; Prison and Jails  
Type: Original  
Date: March 2, 2020

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Bill Summary: This proposal establishes provisions relating to certain persons released on parole.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
General Revenue	\$0 to \$138,363	\$0 to \$169,357	\$0 to \$172,744
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0 to \$138,363</b>	<b>\$0 to \$169,357</b>	<b>\$0 to \$172,744</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
<b>Total Estimated Net Effect on Other 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 2021</b>	<b>FY 2022</b>	<b>FY 2023</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 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

**§217.980 - Certain persons released on parole**

Officials from the **Department of Corrections (DOC)** state this proposal establishes provisions relating to certain persons released on parole. This bill adds section 217.980 to allow any person convicted of trafficking 2nd as a prior drug offender or persistent drug offender and released after January 17, 2017, be allowed to remain on parole, unless he/she violates their term of parole.

The department believes this legislation could impact up to 26 cases. One particular case includes an individual that is currently residing in the community with an appeal related to their case pending before the Missouri Supreme Court. This legislation, if passed, could render that appeal moot.

If this legislation renders that appeal moot, the offender would be allowed to remain in the community, as well as any others currently residing in the community. Therefore, the department could potentially see a cost savings of \$0 to \$166,036 (\$6,386 annual incarceration cost x 26).

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's impact of \$0 to \$166,036 for fiscal note purposes.

**Oversight** notes the **Office of State Courts Administrator** has stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for this agency.

<u>FISCAL IMPACT - State Government</u>	FY 2021	FY 2022	FY 2023
	(10 Mo.)		
<b>GENERAL REVENUE FUND</b>			
<u>Savings</u> - DOC (§217.970) Decreased incarceration costs	<u>\$0 to \$138,363</u>	<u>\$0 to \$169,357</u>	<u>\$0 to \$172,744</u>
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	<b><u>\$0 to \$138,363</u></b>	<b><u>\$0 to \$169,357</u></b>	<b><u>\$0 to \$172,744</u></b>

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

This bill specifies that any person who pled guilty to or was found guilty of a violation of Section 195.223, RSMo, and was sentenced under Section 195.295 prior to January 1, 2017, will not be remitted to the Department of Corrections except for a violation of his or her terms of parole.

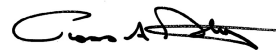
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Corrections  
Office of State Courts Administrator



Julie Morff  
Director  
March 2, 2020



Ross Strobe  
Assistant Director  
March 2, 2020