

(Return in triplicate)

FISCAL NOTE

Bill/Resolution No.: SB 2332 Amendment to: \_\_\_\_\_

Requested by: Legislative Council Date of Receipt: \_\_\_\_\_

Please estimate the fiscal impact of the above measure for:

State general or special funds     Counties     Cities

In the following space note the fiscal effect in dollars of this measure:

Narrative:

The costs shown below represent the cost to incarcerate 175 drug offenders for an average of 365 days. The offenders would be sentenced to the Penitentiary at various times during the next biennium.

Statistics from the Attorney General's office show that 169 drug arrests were made since June 1988. It is estimated that at least that many arrests will be made in the next six months, especially since recently 12 additional drug agents were hired. Using a conservative estimate that only 50% will be incarcerated under the proposed law (the remaining 50% would be plea bargained, etc.,) it would increase the prison population by 169 inmates.

Presently there are 377 drug offenders under probation supervision of which 96 are on deferred imposition of sentence and 281 on a suspended sentence. Assuming again that only 50% of the present drug cases on probation would be charged under the mandatory provision of the bill the impact would be an increase of at least 180 inmates at the North Dakota State Penitentiary.

Taking an average of these two estimates, this bill would increase the prison's population by at least 175 inmates.

(See back)

State Fiscal Effect:

<u>1989-90</u>		<u>1990-91</u>		<u>Biennium Total</u>	
<u>General Fund</u>	<u>Special Funds</u>	<u>General Fund</u>	<u>Special Funds</u>	<u>General Fund</u>	<u>Special Funds</u>
\$8,792,175 - construction costs (maximum security)				\$11,342,704 - if housed in maximum security	
\$2,550,529 - operating costs (maximum security)					
or \$1,750,000 - construction costs (minimum security)				or \$ 3,346,875 - if house in minimum security	
\$1,596,875 - operating costs (minimum security)					
and \$ 12,000 - additional parole & probation cost				plus \$ 24,000 - additional parole & proabtion costs	

County and City Fiscal Effect:

<u>1989-90</u>		<u>1990-91</u>		<u>Biennium Total</u>	
<u>Counties</u>	<u>Cities</u>	<u>Counties</u>	<u>Cities</u>	<u>Counties</u>	<u>Cities</u>

If additional space is needed, attach a supplemental sheet.

Signed Elaine Little

Typed Name Elaine Little

Date Prepared: 01/23/89

Department Director of Institutions

The basic operating cost at the State Penitentiary is \$39.93 per day per inmate. additional 175 inmates sentenced to the Penitentiary would therefore cost \$2,550,529.

Since the prison presently is at capacity, this bill would require that bed space be added. The national overall cost per bed is \$50,241. At this average cost, an additional 175 beds would cost \$8,792,175. If however you assumed that those sentenced could be housed in minimum security housing, the construction cost would be (\$10,000 per bed for minimum security) \$1,750,000.

Initially, probation and parole department costs would not increase appreciably. However, the processing of the additional prison cases which would go before the Pardon Board would increase the department's annual cost by \$12,000.

We are not able to determine what the mandatory drug evaluation in this bill could cost the state.