

FISCAL NOTE

(Return original and 10 copies)

Bill/Resolution No.: _____

Amendment to: HB 1218

Requested by Legislative Council

Date of Request: 2-13-95

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, and cities.

Narrative:

Section 5 of the bill provides that any offender who commits the crimes of murder, attempted murder, aggravated assault, robbery, kidnapping, or gross sexual imposition (with force) must serve 85% of their prison sentence prior to being eligible for parole. Based on Department of Corrections data, from January 1, 1992 through December 31, 1994, there were 16 offenders released on parole prior to serving 85% of their sentence.

Only offenders sentenced after August 1995 would be affected by this bill. Since most violent offenders have fairly lengthy prison sentences, the impact of this bill would be small during the

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2. State fiscal effect in dollar amounts:

	<u>1993-95</u>		<u>1995-1997</u>		<u>1997-99</u>	
	<u>Biennium</u>		<u>Biennium</u>		<u>Biennium</u>	
	<u>General</u>	<u>Special</u>	<u>General</u>	<u>Special</u>	<u>General</u>	<u>Special</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>
Revenues:	0	0	0	43,875	0	102,375
Expenditures:	0	0	14,625	43,875	34,125	102,375

3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1993-95 biennium: None
- b. For the 1995-97 biennium: \$58,500
- c. For the 1997-99 biennium: \$136,500

4. County and City fiscal effect in dollar amounts:

	<u>1993-95</u>		<u>1995-1997</u>		<u>1997-99</u>	
	<u>Biennium</u>		<u>Biennium</u>		<u>Biennium</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.

Date Prepared: 02/17/95

Signed 

Typed Name Charles Placek

Department DOCR/Parole and Probation

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NARRATIVE (CONTINUED)

next two biennia. The full impact of this bill would be experienced in the 2002-2004 biennium and beyond. At that time the impact would be approximately 10 inmates (based on past data).

Based on the length of the paroles during the past three year period and assuming the paroles given during the next few years would be similar to the past three years, the impact of the bill will be as follows:

Cost required to house inmates to meet the 85% truth in sentencing:

1st year of 1995-97 biennium	= \$7,500
2nd year of 1995-97 biennium	= \$51,000
1st year of 1997-99 biennium	= \$60,000
2nd year of 1997-99 biennium	= \$76,500
2002-2004 biennium and beyond - 10 beds	= \$365,000

Since the passage of HB 1218 would allow North Dakota to access federal crime bill funds under the "Truth-in Sentencing Prison Construction Grant Program," and the "Violent Offender Incarceration Prison Construction Grant Program," 75% of the fiscal impact could be funded through these programs if Congress appropriates funds as projected under the Crime Bill. The funds could be utilized to house inmates in county jails or other correctional facilities across the state or could be utilized to replace federal income allowing for the return of federal inmates to the BOP thereby opening up cells at the prison for the housing of truth-in sentencing inmates.

Impact (on Department) of Truth-in Sentencing

Present biennium	\$0
1995-97 biennium	\$58,500
1997-99 biennium	\$136,500

	<u>1995-1997 Biennium</u>		<u>1997-99 Biennium</u>	
	<u>General Fund</u>	<u>Special Fund</u>	<u>General Fund</u>	<u>Special Fund</u>
Revenues:	0	\$43,875	0	\$102,375
Expenditures:	\$14,625	\$43,875	\$34,125	\$102,375

The Department estimates that Sections 3 and 4 of the Bill would have no fiscal impact.