

FISCAL NOTE

Requested by Legislative Council

01/14/2003

Bill/Resolution No.: HB 1271

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	(\$804,460)	\$0	(\$804,460)
Expenditures	\$0	\$0	\$266,948	(\$804,460)	\$2,762,201	(\$804,460)
Appropriations	\$0	\$0	\$266,948	(\$804,460)	\$2,762,201	(\$804,460)

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

The fiscal impact of this bill is very difficult to determine, the amounts reported above are estimated based on a number of unverified assumptions. The assumptions include but are not limited to; county correctional facilities will have adequate space to house female inmates, county correctional facilities will qualify to house female inmates, county correctional facilities will be able to provide necessary educational and vocational programs, chemical dependency treatment programs, mental health programs, medical services, and adequate recreational facilities and that the county correctional facilities would be willing to provide all the above mentioned at a daily rate of \$70.15 per inmate. The fiscal impact to counties is not reflected above for the reason that the DOCR is unable to determine the actual cost to the county for housing female inmates as specified in HB1271.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The figures in 1A above reflect the estimated NET fiscal effect on the 2003-05 DOCR executive recommendation as a result of housing female inmates at the county level. As a result of housing all females at the county level the DOCR would lose its ability to contract with the Bureau of Prisons for 20 female inmates. The estimated federal revenue lost from not being able to house BOP inmates is estimated at \$804,460.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The figures in 1A above reflect the estimated NET fiscal effect on the 2003-05 DOCR executive recommendation as a result of housing female inmates at the county level. As noted above it is estimated to require an additional \$266,948 of general funds in the 2003-05 biennium and an additional \$2,762,201 of general funds in the 2005-07 biennium to implement this bill. The estimated daily rate in this fiscal note is \$70.15. The 2003-05 total estimated housing cost based on the \$70.15 rate is \$6,730,612. Please see

below for the detail of the net fiscal effect.

Detail of Estimated Fiscal Impact of HB 1271

	<u>2003-05</u>		<u>2005-07</u>	
	<u>General</u>	<u>Other</u>	<u>General</u>	<u>Other</u>
Revenues				
BOP Inmates\1		(804,460)		(804,460)
Total Revenues		(804,460)		(804,460)
Expenditures				
Contract Housing\2	5,486,885	1,243,727	8,124,166	
Administration\3	340,000		340,000	
Women's Unit\4	(5,486,781)	(1,243,727)	(5,486,781)	
Medical\4	(492,495)		(567,385)	
Food\4	(334,245)	(50,876)	(401,383)	(50,876)
Positions\5	<u>753,584</u>	<u>(753,584)</u>	<u>753,584</u>	<u>(753,584)</u>
Total Expenditures	<u>266,948</u>	<u>(804,460)</u>	<u>2,762,201</u>	<u>(804,460)</u>

\1 - Revenues based on 20 BOP female boarder inmates charge a daily rate of \$55.10

\2 - 2003-05 contract housing amount based on estimated average female population of 131 at a \$70.15 estimated daily rate. The estimated daily rate consists of the following:

\$53.75 - estimated average county housing daily rate

\$ 9.92 - estimated daily medical cost

\$ 6.48 - estimated daily programming cost

The estimated contract housing amount for the 2005-07 biennium is based on an estimated average female population of 158 at a \$70.15 estimated daily rate.

\3 - Amount based on 4 FTE (2 transport officers, 1 program manager, 1 account technician), and mileage costs

\$137,400 - Transport Officers

\$100,000 - Program Manager

\$ 60,415 - Account Technician

\$ 42,185 - Fleet Services Charges (900 miles per week @ 41.5 cents per mile)

\4 - Expenditures budgeted for in the 2003-05 DOCR executive recommendation that would be affected if HB 1271 is passed into law

\5 - Positions funded with BOP inmate revenue in the 2003-05 DOCR executive recommendation, if HB 1271 is passed into law federal revenue would not longer be available

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The estimated NET amounts reflected above document the estimated necessary adjustments required to be made to the DOCR 2003-05 executive recommendation if this bill is passed into law. Again it is very important to note that the figures represented above are rough estimates based on a number of unverified assumptions.

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