

FISCAL NOTE

Requested by Legislative Council

02/05/2003

Amendment to: SB 2339

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				\$165,000		\$165,000
Expenditures			\$0	\$165,000		\$165,000
Appropriations			\$0	\$165,000		

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
			\$82,500			\$82,500		

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

Senate Bill No. 2339 provides a means to counties to retrieve probationers that violate the terms of his/her probation while outside the boundaries of the State of ND. The source of revenue proposed in this bill originates from the probationer's county of jurisdiction and either the DOCR or the probationer. It is estimated that 550 offenders will be approved for transfer to another state in the 2003-05 biennium.

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.*

Revenues are generated from the following sources:

1. Transfer application fee - \$150 This fee is to be paid by the offender upon approval of request to travel to another state. The offender fee may be waived by the DOCR. However, if the DOCR waives the offender fee, the DOCR must pay the \$150 application fee (it is the DOCR's intention to pay this fee using offender supervision fees).
2. County of Jurisdiction - \$150 This fee is to be paid by the county of jurisdiction upon approval of the application for transfer to the DOCR for deposit into the probationer violation transportation fund
3. Travel permit fee - to be paid by the probationer in accordance with fee schedules established by the DOCR, this fee may be waived by the DOCR

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.*

Expenditures resulting from this bill will be used to defray the costs of returning to the state probationers who violate conditions of probation. It is estimated that for the 2003-05 biennium this fund will provide for the return of 125 probationers. It is also estimated that the cost of returning a probationer to the state is between \$1,200 and \$2,000 per return.

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.*

This bill provides for a continuing appropriation which will allow the DOCR to operate this fund on a revolving basis.

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Agency: DOCR
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