

FISCAL NOTE

Requested by Legislative Council
03/24/2003

Amendment to: 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	\$0	\$0	(\$1,243,727)
Expenditures	\$0	\$0	\$1,934,086	\$0	\$4,865,915	(\$1,243,727)
Appropriations	\$0	\$0	\$1,934,086	\$0	\$4,865,915	(\$1,243,727)

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 figures in 1A. above represent the fiscal impact this bill has on the House version of the DOCR budget.

The fiscal impact of this bill is dependent on the existence of a qualified state facility for the housing of female inmates. The executive recommendation provides for a qualified state female facility. The House version of the DOCR budget does not provide for a female facility. Following is a description of the fiscal impact of this bill as it applies to 1) the House version of the DOCR budget and 2) the DOCR executive recommendation.

1) HOUSE VERSION - As the 2003-05 DOCR budget currently stands (House version), there is no funding provided for a state owned female facility. The House version provides funding to house all female inmates in county jails. However, it is the opinion of the DOCR, the funding provided in the House version is not adequate. The House version provides a total of \$6,642,320 (\$5,398,593 general funds; \$1,243,727 federal funds). The DOCR estimates the cost of housing females in county jails to be \$8,576,406 (\$7,332,679 general funds; \$1,243,727 federal funds). As a result the DOCR estimates that in order to implement this bill an additional \$1,934,086 of general funds would need to be added to the House version of the DOCR budget.

2) EXECUTIVE RECOMMENDATION - As noted above the executive recommendation provides for a qualified state facility to house female inmates. As a result this bill would not have a fiscal impact on the DOCR executive recommendation.

NOTE: The DOCR currently has the authority to contract with counties to house female inmates.

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.*

No fiscal effect

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.

If no qualified state facility is available the DOCR estimates the cost to house female inmates in county jails to be \$8,576,406 (\$7,332,679 general funds; \$1,243,727 federal funds) for the 2003-05 biennium and \$10,264,508 (\$10,264,508 general funds) for the 2005-07 biennium.

If a qualified state facility is available, such as provided for in the DOCR executive recommendation, it is estimated there would not be a need to house females in county jails. As a result there would be no expenditures required.

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.*

As noted in 2. above, if no qualified state facility is available the DOCR would need a total appropriation of \$8,576,406 (\$7,332,679 general funds; \$1,243,727 federal funds). The appropriation amount in the House version of the DOCR budget would need to be increased by \$1,934,086 (\$1,934,086 general funds).

If a qualified state facility is available, such as provided for in the executive recommendation, an appropriation to house females inmates in county jails would not be necessary.

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