

# FISCAL NOTE

Requested by Legislative Council  
01/28/2003

Bill/Resolution No.: SB 2355

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
<b>Revenues</b>						
<b>Expenditures</b>			\$4,209,748		\$4,209,748	
<b>Appropriations</b>			\$4,209,748		\$4,209,748	

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.*

Senate bill 2355 would require every individual sentenced to the custody of the Department of Corrections and Rehabilitation to serve at least 60% of the sentence imposed by the courts in conventional incarceration. If this bill is implemented it will result in longer prison stays. Longer prison stays equate to the need for additional prison beds. Due to the fact the DOCR is operating and expects to continue to operate at capacity, the need for additional beds created by this bill can only be satisfied by contracting for prison beds outside of the DOCR system.

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.*

N/A

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.*

As noted in 1a above, the DOCR estimates the cost to implement this bill at \$4,209,748 for the 03-05. This amount was arrived at by sampling individuals released from the conventional incarceration during calendar year 2002. The sample was then used to determine the total number of extra days that would have been served if 60% of the sentence would have been served in conventional incarceration. This computation resulted in the determination that an additional 42,097 bed days per year would be needed if this bill were implemented. Again due to the fact the DOCR is and expects to continue to be at capacity these additional bed days would have to be contracted for outside of the DOCR system. Using an estimated contract rate of \$50 per day per inmate this results in a biennial expenditure totaling \$4,209,748.

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.*

In order to implement this bill in the 2003-05 biennium the DOCR would need \$4,209,748 in general funds to be added to the 2003-05 DOCR executive recommendation.

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**Agency:** DOCR  
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