

**FISCAL NOTE**  
**Requested by Legislative Council**  
03/12/2007

Amendment to: Engrossed  
SB 2320

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.*

|                       | 2005-2007 Biennium |             | 2007-2009 Biennium |             | 2009-2011 Biennium |             |
|-----------------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
|                       | General Fund       | Other Funds | General Fund       | Other Funds | General Fund       | Other Funds |
| <b>Revenues</b>       |                    |             |                    |             |                    |             |
| <b>Expenditures</b>   |                    |             | \$125,649          |             | \$125,649          |             |
| <b>Appropriations</b> |                    |             | \$125,649          |             | \$125,649          |             |

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

| 2005-2007 Biennium |        |                  | 2007-2009 Biennium |        |                  | 2009-2011 Biennium |        |                  |
|--------------------|--------|------------------|--------------------|--------|------------------|--------------------|--------|------------------|
| Counties           | Cities | School Districts | Counties           | Cities | School Districts | Counties           | Cities | School Districts |
|                    |        |                  |                    |        |                  |                    |        |                  |

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Provision of this bill would require the DOCR to conduct a new or updated presentence investigation and prepare a new or updated presentence report for the consideration of the court when a defendant's probation is revoked past 90 days of the original sentence.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Over the course of the 2007-09 biennium, the DOCR estimates that the provisions of this bill would require the DOCR to prepare and issue a PSI on the following:

- 633 defendants without a previous PSI (new)
- 318 defendants with a previous PSI (update)

The DOCR estimates the time to prepare a new PSI at 6.9 hours and to update an existing PSI at 1.0 hour. The cost for a new PSI is estimated at \$184.92 and for an updated PSI at \$26.80.

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.*

**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 above, under the provisions of this bill the DOCR would expect to prepare and/or update a total of 951 PSI reports. Of that amount, 633 would be new reports at a total cost of \$117,139, and 318 would be updated reports at a total cost of \$8,510. The total cost for the preparation of all PSI is estimated at \$125,649.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The estimated cost to prepare the PSI reports noted above is not included in the 07-09 DOCR executive recommendation. In order to accomplish the provisions of this bill the 07-09 DOCR appropriation would need to be increased by \$125,649.

|                      |                  |                       |            |
|----------------------|------------------|-----------------------|------------|
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