

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO. 3899-02
BILL NO. HB 1844
SUBJECT: House Arrest Program
TYPE: Original
DATE: February 28, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	\$1,108,188	\$0	\$0
Total Estimated Net Effect on <u>All</u> State Funds	\$1,108,188	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services** assume the proposed legislation would have no fiscal impact on their agency.

Officials from the **Department of Corrections (DOC)** assume the proposed legislation authorizes DOC to permit certain class A and B felons (other than those sentenced as dangerous and sex predators) to be released on inmate status to the Electronic Monitoring Program (EMP) for up to one year prior to their parole date. This will increase the number of inmates eligible for "house arrest" and earlier release from confinement.

To estimate the potential positive impact of this change, DOC compared the percentage of sentences served by class C felons that were placed on EMP to those class C felons who remained confined until released on their parole date in 1999. The comparison showed that those placed on EMP served 5% less than those released to parole. DOC also determined that 24% of all class C felons released in 1999 were placed on EMP.

DOC reviewed the number of class A and B felons with a presumptive release date in 2000 (819) and 2001(666) who would be considered eligible under provisions of this proposal. However, since additional inmates meeting the criteria will receive release dates during the year, these figures may understate the potential totals for each year. To compensate for this potential, DOC used the actual number of eligible class A and B felons released in 1999 (1,080) as the basis for the estimate, assuming this figure will remain relatively constant over time.

Based on the analysis of releases in 1999, DOC estimated the average duration of successful releases to EMP to be 3.74 months for class C felons. Accounting for the longer sentence length for class A and B felons, DOC applied an averaged 4.5 month's reduction to the average time served for those 1,080 inmates.

The estimated impact is equivalent to a reduction of 93 inmates during the course of a calendar year ($\$1,208,628 = \$12,996$ per inmate x 93 inmates) offset by an increased period under community supervision ($\$100,440 = \$1,080$ per month for EMP x 93 inmates). As the reduction in confinement period is less than one year for each inmate, the fiscal impact is not cumulative but constant over time.

It should be noted that the impact will be affected by the actual number of eligible class A and B felons that can be considered each year and the actual number released to EMP.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
GENERAL REVENUE			
<u>Costs</u> - Department of Corrections	(\$100,440)	\$0	\$0
<u>Savings</u> - Department of Corrections	<u>\$1,208,628</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>\$1,108,188</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	0	0	0

FISCAL IMPACT - Small Business

No direct fiscal impact on small businesses would be expected due to this proposal.

DESCRIPTION

The proposed legislation prohibits any person serving a sentence for a dangerous felony or identified as a predatory sexual offender from participating in the house arrest program.

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Corrections
Department of Social Services



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Director
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