

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4818-01
Bill No.: HB 1175
Subject: Corrections Department; Probation and Parole; Elderly
Type: Original
Date: February 13, 2012

Bill Summary: This proposal authorizes the early parole of certain offenders over 60 years of age sentenced to life without parole for a minimum of 50 years.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
General Revenue	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
Total Estimated Net Effect on General Revenue Fund	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on FTE	0	0	0

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator** assume the proposal would not fiscally impact the courts.

Officials from the **Department of Corrections (DOC)** state passage of this bill would authorize the early parole of certain offenders over 60 years of age sentenced to life without parole for a minimum of 50 years.

DOC states the fiscal impact due to passage of the proposal is unknown for each fiscal year. Probation and Parole Board recommendations cannot be estimated. Obviously any paroles could result in incarceration savings due to release from prison, but this impact cannot be estimated.

Oversight has no data regarding the number of incarcerated persons that would qualify under this new provision. Therefore, Oversight will assume a potential unknown savings to the General Revenue Fund from the potential reduction in incarceration costs.

According to the DOC, the annual cost for incarceration is approximately \$6,160 per inmate while supervision provided by the Board of Probation and Parole costs approximately \$1,869 per offender per year. Therefore, Oversight assumes for each person released from incarceration and supervised by the Board of Probation and Parole would result in an annual savings to the state of approximately \$4,291.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
GENERAL REVENUE FUND			
<u>Savings - Department of Corrections</u>			
From persons qualifying to be released from incarceration under this proposal	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	<u>\$0 or UNKNOWN</u>	<u>\$0 or UNKNOWN</u>	<u>\$0 or UNKNOWN</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

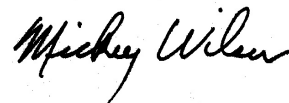
FISCAL DESCRIPTION

This proposal requires any incarcerated offender 60 years of age or older who has no prior felony convictions of a violent nature and is serving a sentence of life without parole for a minimum of 50 years or more to receive a parole hearing upon serving 15 years or more of his or her sentence. The Board of Probation and Parole within the Department of Corrections must determine whether there is a reasonable probability that the offender will live and remain at liberty without violation of law upon release and is eligible for release based upon a finding that the offender meets specified criteria. Any offender who is not granted release under these provisions must be eligible for reconsideration every three years until a presumptive release date is established.

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
Office of the State Courts Administrator



Mickey Wilson, CPA
Director
February 13, 2012