

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0033H.01I
Bill No.: HB 318
Subject: Prisons And Jails; Corrections, Department Of; Health Care; Law Enforcement
Officers And Agencies
Type: Original
Date: February 3, 2021

Bill Summary: This proposal specifies that feminine hygiene products shall be available to prisoners at no cost while held in custody.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Local Government	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

FISCAL ANALYSIS

ASSUMPTION

§§217.199 and 221.065 – Hygienic products to offenders

Officials from the **Department of Corrections (DOC)** assume the proposal will have no fiscal impact on their organization. In FY20, the DOC was appropriated additional funding to support these costs.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

Oversight contacted the DOC to determine the amount of funding appropriated to them for feminine hygiene products. From a new decision item beginning in FY 2020, the DOC was appropriated \$113,574 in General Revenue funds. This amount, combined with the \$114,774 in funding already within DOC's budget, brings the total department appropriations for feminine hygiene products to \$228,348 for FY 2020, FY 2021, and FY 2022 as no changes were made to the appropriation in FY 2021 or requested in FY 2022.

Officials from the **Boone County Sheriff's Department** state these items are currently supplied to detainees at no cost and as needed or requested.

Officials from the **Cape Girardeau County Sheriff's Department** and the **Clay County Sheriff's Department** responded but did not provide a fiscal impact.

Officials from the **Lewis County Sheriff's Department** state feminine products are provided at no cost to the inmate.

Officials from the **Ellisville Police Department** state this will have a very minor impact but both reasonable and appropriate.

Officials from the **Crestwood Police Department** state no discernible fiscal impact. The Crestwood Police Department already supplies these items when necessary.

Officials from **Clinton County**, the **Ellington Police Department**, the **Kansas City Police Department**, the **Kimberling City Police Department**, the **St. John Police Department**, and the **St. Louis County Police Department** each assume the proposal will have no fiscal impact on their respective organizations.

Oversight notes there may be some county or city jails that do not provide both tampons and napkins for free. Therefore, the impact to local governments will be presented as \$0 or (Unknown).

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other counties and police and sheriffs' departments were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2022	FY 2023	FY 2024
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2022	FY 2023	FY 2024
LOCAL GOVERNMENT - COUNTY OR CITY JAILS			
<u>Costs - (\$221.065)</u> Healthcare products expense	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL GOVERNMENT - COUNTY OR CITY JAILS	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

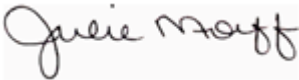
This bill specifies that the Director of the Department of Corrections must ensure that tampons and sanitary napkins are available for free to offenders while they are confined in any of the Department's correctional centers. The Director must ensure that the products conform with applicable industry standards. Additionally, every sheriff and jailer who holds a person in custody pursuant to a writ or process for a criminal offense must ensure that tampons and sanitary napkins are available for free to such person in custody, in a quantity that is appropriate for the health care needs of the person. The sheriff or jailer must ensure that the products conform with applicable industry standards. The General Assembly may appropriate funds to assist the Director or sheriffs and jailers in fulfilling their duties.

The bill contains an emergency clause.

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
Clinton County
Ellisville Police Department
Crestwood Police Department
Ellington Police Department
Kansas City Police Department
Kimberling City Police Department
St. John Police Department
St. Louis County Police Department
Boone County Sheriff's Department
Lewis County Sheriff's Department
Clay County Sheriff's Department
Cape Girardeau County Sheriff's Department



Julie Morff
Director
February 3, 2021



Ross Strope
Assistant Director
February 3, 2021