

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1308H.01I
 Bill No.: HB 504
 Subject: Probation and Parole; Crimes and Punishment; Prisons and Jails
 Type: Original
 Date: January 21, 2021

Bill Summary: This proposal specifies that certain offenders found guilty of trafficking drugs in the second degree shall be eligible for parole after serving ten years.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
General Revenue	\$0 to \$40,000	\$0 to \$40,000	\$0 to \$40,000
Total Estimated Net Effect on General Revenue	\$0 to \$40,000	\$0 to \$40,000	\$0 to \$40,000

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	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§217.689 – Trafficking drugs in the second degree

Officials from the **Department of Corrections (DOC)** state this bill intends to specify that certain offenders found guilty of trafficking drugs and charged under section 195.295(3) as a class A felony, serving without probation or parole, as a prior drug offender, shall now be eligible for parole after serving ten years.

Currently, five (5) offenders are in prison, who were sentenced under subsection 3 of section 195.295 as a class A felony without the eligibility of probation or parole as prior drug offenders. Out of these five offenders, three (3) have already served ten years or more of their sentence and will be eligible for parole in 2021; one will be eligible for parole in 2022 and one in 2024. However, it is unknown how many of these offenders the Board will grant parole. Therefore, the department could potentially see a cost savings of \$0 to Unknown.

Oversight assumes the savings estimated by the DOC could result in long-term cost avoidance. Therefore, Oversight will reflect DOC’s impact for fiscal note purposes. Due to the low count (5) of offenders serving time under this pre-criminal-code-reform statute, Oversight will assume a potential savings of Less than \$40,000 ((DOC has estimated in response to other proposals an annual incarceration cost of approximately \$7,800) therefore; 5 x \$7,800 = approx. \$40,000).

Officials from the **Office of the State Courts Administrator** assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
GENERAL REVENUE FUND			
<u>Savings – DOC</u> (§217.689) Potential reduction of incarceration costs	<u>\$0 to \$40,000</u>	<u>\$0 to \$40,000</u>	<u>\$0 to \$40,000</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>\$0 to \$40,000</u>	<u>\$0 to \$40,000</u>	<u>\$0 to \$40,000</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<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.

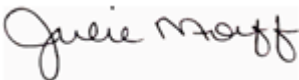
FISCAL DESCRIPTION

This bill specifies that, notwithstanding any law to the contrary, any offender sentenced under Subsection 3 of Section 195.295, RSMo, relating to convictions for drug trafficking in the second degree, prior to January 1, 2017, when the section was repealed, will be eligible for parole after having served 10 years of his or her sentence if the Parole Board determines that there is a strong and reasonable probability that the offender will not re-offend.


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



Julie Morff
Director
January 21, 2021



Ross Strobe
Assistant Director
January 21, 2021