

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING EARNED TIME FOR INMATES.

Prime Sponsors: Representative Levy  
Senator Steadman

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**Summary of Amendments Made to the Bill After the 04/18/12 Revised Legislative Council Staff Fiscal Note Was Prepared**

None.

**JBC Staff Concurrence with Legislative Council Staff Fiscal Note**

**Concurs**                       **Does Not Concur**                       **Updated Analysis**

**Amendments/Appropriation Status**

The bill requires but does not contain an appropriation clause. Staff has prepared amendment **J.001** (attached), which makes the following adjustments to FY 2012-13 General Fund appropriations to the Department of Corrections (DOC):

<b>Table 1</b>		
<b>Adjustments in J.001 to FY 2012-13 General Fund Appropriations to DOC</b>	<b>Amount</b>	<b>FTE</b>
1. External Capacity Subprogram (Payments to private prisons and jails)	(\$392,724)	0.0
2. Medical Services Subprogram (Outside medical services for offenders)	(29,560)	0.0
3. Community Services Division (Supervision of parolees)	(36,593)	0.0
4. Information Systems Subprogram (Modifications to computer systems)	100,640	0.0
5. <u>Offender Services Subprogram (Increased offender time computation costs)</u>	<u>84,337</u>	<u>2.0</u>
6. Sum of 1 through 5 = Net change to appropriations due to statutory changes made by this bill	(\$273,900)	2.0
7. Appropriate bill's savings to the Education Subprogram	273,900	0.0
<b>Total</b>	<b>\$0</b>	<b>2.0</b>

The amendment then reappropriates \$100,640 to the Governor's Office of Information Technology (OIT), which will modify Department of Corrections' computer systems.

Appropriations 1 through 3 in Table 1 correspond to the savings from the "Earned Time for Reincarcerated Offenders" and "Achievement Earned Time" items listed in Table 1 of the Legislative Council Staff Fiscal Note dated April 18, 2012. Items 4 and 5 correspond to the implementation costs shown in Table 2 of the Fiscal Note. These adjustments lead to the net savings shown in line 6, which are consistent with the Fiscal Note. Appropriation 7, for educational equipment and

services, is consistent with the bill's legislative declaration, which states that the General Assembly intends to appropriate savings generated by the bill to the Department of Corrections' Education Subprogram and to the Parole Program for wraparound services.

**Bill Sponsor Amendments**

Sponsor amendment **J.002** (attached) is similar to J.001, but omits the appropriation of dollars and FTE to the Offender Services Subprogram. This increases the savings generated by the bill and allows the appropriation to the Education Subprogram to be increased to \$358,237, which results in the appropriations shown in the following table.

<b>Table 2</b>		
<b>Adjustments in J.002 to FY 2012-13 General Fund Appropriations to DOC</b>	<b>Amount</b>	<b>FTE</b>
1. External Capacity Subprogram (Payments to private prisons and jails)	(\$392,724)	0.0
2. Medical Services Subprogram (Outside medical services for offenders)	(29,560)	0.0
3. Community Services Division (Supervision of parolees)	(36,593)	0.0
4. <u>Information Systems Subprogram (Modifications to computer systems)</u>	<u>100,640</u>	<u>0.0</u>
Sum of 1 through 4	(\$358,237)	0.0
Appropriate savings to the Education Subprogram	358,237	0.0
<b>Total</b>	<b>\$0</b>	<b>0.0</b>

The amendment then reappropriates \$100,640 to the Governor's Office of Information Technology (OIT), which will modify Department of Corrections' computer systems.

The appropriations in J.002 are not fully consistent with the April 18, 2012 Legislative Council Staff Fiscal Note because they omit the increased offender time computation costs.

**If J.002 is adopted, J.001 should not be adopted.**

**Points to Consider**

Passage of this bill will neither increase nor decrease the amount of General Fund that is available for other programs in FY 2012-13 or subsequent years. Savings generated by the bill will be expended within the Department of Corrections.