

State Expenditures

This bill is expected to increase workload and state General Fund expenditures by \$85,936 between FY 2014-15 and FY 2018-19.

Five-Year Fiscal Impact on Correctional Facilities

This bill is anticipated to increase state General Fund expenditures by \$21,484 per year beginning in FY 2015-16 for the Department of Corrections (DOC). This increase assumes that, by extending the statute of limitations, one additional offender will be convicted of class 3 felony every five years and have an average length of stay of 64.6 months. This increase assumes that the highest charge will be leaving the scene of an accident that resulted in the death of a person and that a conviction of vehicular homicide will be served concurrently to that offense. If sentences are ordered to be served consecutively or additional convictions occur, the fiscal note assumes that the DOC will request additional appropriations through the annual budget process.

Current law prohibits the General Assembly from passing any bill to increase periods of imprisonment in state correctional facilities without appropriating an amount sufficient to cover the increased capital construction and operating costs of the bill in each of the first five fiscal years. However, current law also allows the DOC to place offenders classified as medium custody and below in private contract prisons, for which no state capital construction costs are incurred.

Offenders sentenced under this bill to DOC may be placed in either a state-run or a private contract prison, depending on several factors. Any offenders that *must* be housed in a state-run prison will likely require a shift of other inmates in that facility to private contract prisons. Therefore, this fiscal note assumes that the impact of this bill will be accommodated through the use of private contract prisons, and that no new capital construction funds are necessary.

Offenders placed in a private contract prison cost the state about \$58.86 per offender per day, including the current daily rate of \$53.74 and an estimated \$5.12 per offender per day for medical care provided by the DOC. No impact is expected in the first year because of the estimated time for criminal filing, trial, disposition, and sentencing. Table 1 shows the estimated cost of the bill over the next five fiscal years.

| Fiscal Year | Inmate Bed Impact | Construction Cost | Operating Cost | Total Cost |
|--------------------|--------------------------|--------------------------|-----------------------|-------------------|
| FY 2014-15 | 0.0 | \$0 | \$0 | \$0 |
| FY 2015-16 | 1.0 | \$0 | \$21,484 | \$21,484 |
| FY 2016-17 | 1.0 | \$0 | \$21,484 | \$21,484 |
| FY 2017-18 | 1.0 | \$0 | \$21,484 | \$21,484 |
| FY 2018-19 | 1.0 | \$0 | \$21,484 | \$21,484 |
| Total | | \$0 | \$85,936 | \$85,936 |

Judicial Department. To the extent that this bill results in additional filings and sentences to probation, workload for courts and the probation division may increase by a minimal amount.

Office of the State Public Defender and Office of Alternate Defense Counsel. For defendants that are determined to be indigent, workload for the Office of the State Public Defender (OSPD) may increase by a minimal amount. If the OSPD has a conflict, costs for the Office of the Alternate Defense Counsel (ADC) may increase. The fiscal note assumes the increase in workload and costs will be minimal.

Legislative service agencies. By requiring post-enactment review in five years, this bill will increase workload for Legislative Council Staff and the Office of the Legislative Legal Services by a minimal amount in FY 2018-19. This increase in workload is minimal and will not require an increase in appropriations for either agency.

Local Government Impact

By extending the statute of limitations for certain cases of vehicular homicide, this bill may increase workload for district attorneys to prosecute offenses. The increase in workload is anticipated to be minimal.

Effective Date

The bill takes effect July 1, 2014, and applies to offenses committed on or after this date.

State Appropriations

The Department of Corrections requires the five-year appropriations shown in Table 1.

State and Local Government Contacts

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|----------------------------|---------------------------|
| Corrections | District Attorneys |
| Judicial | Legislative Council Staff |
| Legislative Legal Services | Revenue |