LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 138** HLS 11RS 373
Bill Text Version: **ORIGINAL**
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: May 4, 2011 8:11 AM
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Dept./Agy.: Corrections
Subject: Parole
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CORRECTIONS/PRISONERS OR DECREASE GF EX See Note

Provides with respect to eligibility for parole consideration for certain elderly inmates

The proposed legislation provides that any person sentenced to the custody of the Department of Public Safety and Corrections who has served at least 10 years of a term of imprisonment shall be eligible for parole consideration upon reaching the age of 60 if the following conditions are met: 1) the offender has not been convicted of a crime of violence, or a sex offense; 2) the offender has not committed any disciplinary offenses in the 12 months prior to parole eligibility; 3) the offender has completed the mandatory minimum of 100 hours of pre-release programming; 4) the offender has completed substance abuse treatment as applicable; 5) the offender has obtained a GED credential, unless previously obtained a high school diploma or is deemed by a certified educator as incapable of obtaining a GED credential due to a learning disability; 6) the offender has obtained a low-risk designation determined by a validated risk assessment instrument approved by the secretary of the DPS&C.

EXPENDITURES	**2011-12**	**2012-13**	**2013-14**	**2014-15**	**2015-16**	**5 -YEAR TOTAL**
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Agy. Self-Gen.	$0	$0	$0	$0	$0	**$0**
Ded./Other	$0	$0	$0	$0	$0	**$0**
Federal Funds	$0	$0	$0	$0	$0	**$0**
Local Funds	$0	$0	$0	$0	$0	**$0**
Annual Total	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**

REVENUES	**2011-12**	**2012-13**	**2013-14**	**2014-15**	**2015-16**	**5 -YEAR TOTAL**
State Gen. Fd.	$0	$0	$0	$0	$0	**$0**
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	$0	$0	$0	$0	$0	**$0**
Federal Funds	$0	$0	$0	$0	$0	**$0**
Local Funds	$0	$0	$0	$0	$0	**$0**
Annual Total	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**

EXPENDITURE EXPLANATION

The proposed legislation may decrease state general fund expenditures by an indeterminable amount. The proposed legislation would allow offenders who have served 10 years in prison and reached the age of 60 to be eligible for parole consideration. There would be a potential cost savings available for those that meet the requirements of the proposed law and are ultimately granted parole.

According to the Department of Public Safety and Corrections, there are 803 offenders who have served 10 years and are at least 60 years old. However, regarding the conditions for parole, only 72 offenders have not been convicted of a violent crime or a sex offense, 49 of the 72 offenders have a low-risk designation, and 19 of the 72 offenders have obtained a GED or high school diploma. There are 15 offenders that have a low-risk designation, a GED, and did not commit a violent crime.

Currently, the Department of Corrections houses 50% of state offenders at the local level and 50% at the state level. For each offender granted parole, the cost savings to the state would be approximately $53.25 ($55.78 per offender per day - $2.53 per day under parole supervision) per inmate per day housed in state institutions for any inmate that would be released on parole supervision as opposed to remaining incarcerated. For illustrative purposes, if 7 of the 15 offenders were housed in a state facility and were granted parole, the annual savings would be $136,054 ($53.25 per day x 365 days x 15 offenders).

To the extent the offender is housed in a local facility, the cost savings to the state would be approximately $21.86 ($24.39 per offender per day - $2.53 per day under parole supervision) per inmate per day housed in local facilities for any inmate that would be released on parole supervision as opposed to remaining incarcerated. For illustrative purposes, if the 8 of the 15 offenders were housed in a state facility and granted parole, the annual savings would be $63,831 ($21.86 per day x 365 days x 8 offenders).

The annual potential cost savings to the state if all 15 offenders are released from state and local facilities could be $199,885 ($136,054 state facilities + $63,831 local facilities).

REVENUE EXPLANATION

Self-generated revenue could increase by an indeterminable amount in future fiscal years beyond the period reflected above due to the proposed legislation. Any offenders released through geriatric parole would pay a monthly parole fee of $53.

Senate Dual Referral Rules House

☐ 13.5.1 >= $100,000 Annual Fiscal Cost {S&H}
☐ 13.5.2 >= $500,000 Annual Tax or Fee Change {S&H}
☐ 6.8(F)1 >= $500,000 Annual Fiscal Cost {S}
☐ 6.8(F)2 >= $100,000 Annual SGF Cost {H&S}
☐ 6.8(G) >= $500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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