

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5452-01
Bill No.: HB 2471
Subject: Probation and Parole; Telecommunications; Law Enforcement Officers and Agencies
Type: Original
Date: April 12, 2010

Bill Summary: The proposal requires that devices used to electronically monitor certain sexual offenders also immediately alert law enforcement if the offender travels into a restricted area under Missouri law.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
General Revenue	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on General Revenue Fund	(Unknown)	(Unknown)	(Unknown)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety – Missouri State Highway Patrol** and the **Boone County Sheriff's Department** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Department of Corrections (DOC)** assume DOC's Probation and Parole Division would be required to rebid and alter the contract specifications for electronic monitoring. The current GPS Monitoring contract does not have a provision that allows for notification to multiple agencies. As such, the DOC would receive the GPS alert and would then have to "immediately alert appropriate local law enforcement." There would be a cost to the agency to provide this notification. Given the overlapping jurisdictions of "local law enforcement agencies" and the multiple areas that would be "hot zones or exclusion areas" (travel restricted by Missouri Law) the workload associated with programming this information for each case would also increase staff workload and cost to the agency.

It is also noted that alerts are not immediately communicated when passive GPA is utilized. (The statute does not specify that active GPS must be utilized). Some rural areas of the state currently do not have strong cellular service coverage and the agency must use a passive GPS approach in these areas, as active GPS is not operational without cell coverage. When a passive type GPS device is used, the "download" of information on the offender's movement occurs once they return to their home base station. An "immediate alert" is not possible in areas of the state with poor cell phone coverage so offenders in these areas would have to be relocated to other areas in order for an immediate alert process to occur. Fiscal impact for this portion of the bill is Unknown.

Currently, the DOC cannot predict the number of new commitments which may result from the enhancement of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in direct offender cost either through incarceration (FY09 average of \$16.04 per offender, per day, or an annual cost of \$5,855 per inmate) or through supervision provided by the Board of Probation and Parole (FY09 average of \$3.71 per offender, per day or an annual cost of \$1,354 per offender).

ASSUMPTION (continued)

In summary, passage of this bill would result in additional costs to the DOC and the exact fiscal impact is Unknown per each fiscal year.

Officials from the Buchanan County Sheriff's Department, Clark County Sheriff's Department, Jackson County Sheriff's Department, Platte County Sheriff's Department, and the St. Louis County Police Department did not respond to Oversight's request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
GENERAL REVENUE FUND			
<u>Costs – Department of Corrections</u>			
Law enforcement notification costs	(Unknown)	(Unknown)	(Unknown)
Incarceration/probation costs	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2011 (10 Mo.)	 FY 2012	 FY 2013
	<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

The proposed legislation specifies that the provisions regarding electronic monitoring of sexual offenders will be known as Chelsea's Law and requires devices for electronically monitoring certain sexual offenders using global positioning systems or other technology that identifies and records the offender's location at all times to immediately alert the appropriate local law enforcement agency if the offender travels into an area which has been restricted by law.

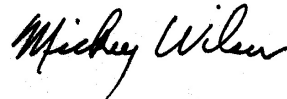
This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Corrections
Department of Public Safety
– Missouri State Highway Patrol
Boone County Sheriff's Department

NOT RESPONDING

Buchanan County Sheriff's Department
Clark County Sheriff's Department
Jackson County Sheriff's Department
Platte County Sheriff's Department
St. Louis County Police Department



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Director
April 12, 2010