

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2323-01
Bill No.: HB 1122
Subject: Prisons and Jails; Department of Corrections
Type: Original
Date: March 13, 2019

Bill Summary: This proposal changes the law regarding restraining prisoners by making state regulations apply to local jails.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
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 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Local Government	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

FISCAL ANALYSIS

ASSUMPTION

§221.150 - Restraining prisoners

Oversight notes that the **Department of Corrections** has stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

In response to a similar proposal from 2018 (HB 1437), officials from the **St. Louis County Police Department**, and the **Boone County Sheriff's Department** each assumed the proposal would not fiscally impact their respective agencies.

In response to a similar proposal from 2018 (HB 1437), officials from the **Jefferson County Sheriff's Office** stated as a medical provider, we have all these requirements in place already. The only thing we need to make sure of is that custody does not use restraints on anyone that is in their third trimester. We can review all the policies related to this.

In response to a similar proposal from 2018 (HB 1437), officials from the **Jasper County Sheriff's Department** stated they would incur costs from:

- for a county the size of Jasper County, a contract with an additional medical professional would cost a minimum of \$36,000 per year. Currently, we contract with a male doctor, this requirement is that a female doctor be present during examinations (221.523.1(10)).
- mandatory substance abuse treatment during incarceration (221.523.1(3));
- maternal health evaluations (221.523.1(1)). This could cost up to \$3,000 per year for transportation and medical service costs.

Oversight notes that several of the concerns expressed by the Jasper County Sheriff's Department above, are not requirements specified in §217.151. Oversight assumes most of the requirements outlined in §217.151 should not increase costs for local law enforcement; however, provisions for training of current employees and other provisions may create a minor cost. Therefore, Oversight will reflect a potential cost of \$0 or (Unknown) to local political subdivisions.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, counties and sheriffs' departments were requested to respond to this proposed legislation but did not. For a general listing of political subdivisions included in our database, please refer to www.legislativeoversight.mo.gov.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
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LOCAL POLITICAL SUBDIVISIONS

<u>Costs</u> - potential new costs for intake and care of prisoners who are pregnant	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)
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ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS	<u><u>\$0 or</u></u> (Unknown)	<u><u>\$0 or</u></u> (Unknown)	<u><u>\$0 or</u></u> (Unknown)
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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 if an inmate in a county or city jail is restrained, the jail must comply with regulations under Section 217.151, RSMo.

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
St. Louis County Police Department
Boone County Sheriff's Department
Jasper County Sheriff's Department
Jefferson County Sheriff's Department



Kyle Rieman
Director
March 13, 2019

Ross Strobe
Assistant Director
March 13, 2019