

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1308H.02C  
Bill No.: HCS for HB 504  
Subject: Probation and Parole; Crimes and Punishment; Prisons and Jails  
Type: Original  
Date: February 12, 2021

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Bill Summary: This proposal specifies that certain offenders found guilty of trafficking drugs shall be eligible for parole after serving ten years.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
General Revenue	\$0 to \$62,400	\$0 to \$62,400	\$0 to \$62,400
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0 to \$62,400</b>	<b>\$0 to \$62,400</b>	<b>\$0 to \$62,400</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: () indicate costs or losses.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §217.689 – Trafficking drugs in the second degree

Officials from the **Department of Corrections (DOC)** state this proposal specifies that certain offenders found guilty of trafficking drugs and charged with a class A felony under subsection 2 or 3 of section 195.295 or under section 195.296, serving without probation or parole, as a prior drug offender, shall now be eligible for parole after serving ten years under new section 217.689. The bill states this shall not apply to any offender who is also serving a sentence for an offense under a section other than section 195.295 or 195.296.

There are currently 35 offenders in prison whose most serious offense is a class A felony under sections 195.295 and 195.296.

Year of parole eligibility	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Number of offenders	8	1	2	3	5	6	4	2	1	2	1

Of those 35, eight (8) have already served 10 years or more of their sentence and will be eligible for parole in 2021; however, it is unknown how many of these offenders the Board will grant parole. Therefore, the department could potentially see a cost savings of \$0 to Unknown.

**Oversight** assumes the savings estimated by the DOC could result in long-term cost avoidance. Therefore, Oversight will reflect DOC's impact for fiscal note purposes. Due to the low count (8) of offenders serving time under this pre-criminal-code-reform statute that have already served 10 years or more of their sentence, Oversight will assume a potential savings of Less than \$62,400 ((DOC has estimated in response to other proposals an annual incarceration cost of approximately \$7,800) therefore;  $8 \times \$7,800 = \text{approx. } \$62,400$ ).

Officials from the **Office of the State Courts Administrator** assume the proposal will have no fiscal impact on their organization.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
<b>GENERAL REVENUE FUND</b>			
<u>Savings – DOC</u> (§217.689) Potential reduction of incarceration costs	\$0 to <u>\$62,400</u>	\$0 to <u>\$62,400</u>	\$0 to <u>\$62,400</u>
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	\$0 to <u>\$62,400</u>	\$0 to <u>\$62,400</u>	\$0 to <u>\$62,400</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	\$0	\$0	\$0

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

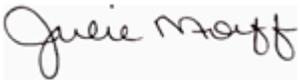
This bill specifies that, notwithstanding any law to the contrary, any offender sentenced prior to January 1, 2017, under Subsection 2 or 3 of Section 195.295, or Section 195.296 RSMo, relating to convictions for drug trafficking in the second degree, will be eligible for parole after having served 10 years of his or her sentence if the Parole Board determines that there is a strong and reasonable probability that the offender will not re-offend.

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

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SOURCES OF INFORMATION

Department of Corrections  
Office of the State Courts Administrator



Julie Morff  
Director  
February 12, 2021



Ross Strobe  
Assistant Director  
February 12, 2021