

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4497H.02I
 Bill No.: HB 2203
 Subject: Criminal Procedure; Crimes and Punishment
 Type: Original
 Date: January 22, 2024

Bill Summary: This proposal modifies provisions relating to good time credit.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
General Revenue*	(Unknown, Greater than \$250,000)	\$0 or Unknown	\$0 or Unknown
Total Estimated Net Effect on General Revenue	(Unknown, Greater than \$250,000)	\$0 or Unknown	\$0 or Unknown

*Cost in FY 2025 reflects the design and development of a new system to track and calculate the good-time credits as described in the legislation. Potential savings in subsequent years reflect a potential reduction in the prisoner population. Oversight notes, in response to other legislation this year, DOC has used a per-inmate cost of \$9,689 to the General Revenue Fund per year.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on FTE	0	0	0

- 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.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§558.041 – Good time credit

Officials from the **Department of Corrections (DOC)** state this proposal modifies provisions relating to good time credit.

Currently, the department does not have an automated system that could track and calculate the good-time credits as described in the legislation. As such, the department is unable to project the impact to the prison population. However, it is assumed the legislation could decrease the number of individuals incarcerated.

Without automation to calculate the good-time credits, the department would have to calculate these credits by hand, which would be additional work for Division of Adult Institutions Records Officers. It is unknown to the department how many additional staff may be needed in order to comply with the legislation.

In response to similar legislation from 2022 (HB 2397), DOC stated they would have to contract with a vendor to design and develop an automated system to track and calculate the good-time credits as described in this legislation and estimates the cost to be greater than \$250,000.

Oversight does not have any information contrary to that provided by DOC. Oversight assumes the IT system development will occur in FY 2025 and will reflect DOC's impact of (Unknown, Greater than \$250,000) for FY 2025 and no programming impact in FY 2026 and subsequent years. Additionally, as this new program may decrease populations for DOC, Oversight will reflect a potential savings (\$0 or Unknown) in FY 2026 and FY 2027. Oversight notes, in response to other legislation this year, DOC has used a per-inmate cost of \$9,689 to the General Revenue Fund per year.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
GENERAL REVENUE			
<u>Savings</u> - DOC (§558.041) Potential impact to the population relating to good time credit	\$0	\$0 or Unknown	\$0 or Unknown
<u>Cost</u> – DOC (§558.041) Calculation of good-time credits	<u>(Unknown, Greater than \$250,000)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(Unknown, Greater than \$250,000)</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<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

GOOD TIME CREDIT (Section 558.041)

This bill modifies provisions authorizing offenders committed to the Department of Corrections to receive good time credit. Good time credit is time that once earned, shall be subtracted from the offender's minimum eligibility-for-release date.

This bill provides that the accumulation of good time credit does not require that the offender be released; the parole board retains discretion to determine the date of release. The parole board in its discretion shall determine the date of release.

The bill provides that any major conduct violation or the accumulation of minor conduct violations exceeding six in one year will result in the loss of all credit earned. No offender who has been sentenced to death or life without probation or parole is eligible for good time credit.

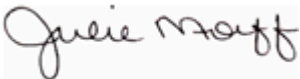
The Department shall award credit of 60 days for programs and activities to any qualifying offender who successfully:

- (1) Receives a high school diploma or equivalent, college diploma, or a vocational training certificate;
- (2) Completes an alcohol or drug abuse treatment program, excluding those treatment programs ordered by either the court or parole board;
- (3) Completes 1,000 hours of restorative justice; or
- (4) Completes other programs provided under the Department's policy.

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



Julie Morff
Director
January 22, 2024



Ross Strobe
Assistant Director
January 22, 2024