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## FISCAL IMPACT REPORT

SPONSOR: Beam DATE TYPED: 3/10/03 HB 582/aHJC/aHAFC

SHORT TITLE: Female Incarceration Task Force SB \_\_\_\_\_

ANALYST: Reynolds-Forte

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
			Indeterminate (see fiscal im- plications)	Non-Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

Responses Received From  
New Mexico Corrections Department

### SUMMARY

Synopsis of HAFC Amendment

The HAFC amendment to HB 582 deletes the \$50.0 appropriation from the bill.

### FISCAL IMPLICATIONS

The bill requires the New Mexico Corrections Department to develop a nine-member task force whose members may be paid mileage and per diem. The bill allows that each agency representative on the task force be paid per diem from their respective agency/department. The cost for mileage and per diem will impact each agency budget and the cost for staffing the task force and updating the recidivism study and payment of per diem and mileage for the four individual task force members not employed by state agencies will impact the New Mexico Correction Department FY04 budget. The bill also allows for contracting for the purposes of studies and evaluations.

There is no money in the amended bill to pay for contracts and/or mileage and per diem and the Corrections Department does not believe they can absorb the cost for such contract or for per diem.

## RELATIONSHIPS

HB 582 relates to Senate Finance Committee Substitute/SB655 that appropriates \$50.0 to the Corrections Department for the task force. The appropriation is contingent upon passage of HB582.

### Synopsis of HJC Amendment

The House Judiciary Committee amendment allows the Deputy Warden of the Women's Correctional Facility in Grants to represent the Warden at the task force and allows the Director of the Probation and Parole Division to be represented by a designate selected by the Director.

### Synopsis of Original Bill

House Bill 582 requires the Secretary of the New Mexico Corrections Department to develop a nine-member task force to examine issues regarding the incarceration of female inmates, to conduct studies and to provide training. The task force is to update the recidivism study conducted in 2001, present the updated study to the House and Senate Judiciary committees and to present a full report to the interim Legislative Committee on Corrections Oversight no later than November 2003. The nine members of the task force are designated in the bill and the Secretary of Corrections designates the chairman. \$50.0 is appropriated from the Tobacco Settlement Program Fund to the New Mexico Corrections Department for FY04 for the purposes outlined in HB582.

The Correction's Department is to provide the staff for the task force. The task force may contract with outside experts to conduct the studies, evaluations and training. The task force is to be composed of:

- 1.) the warden of the Grants correctional facility for women,
- 2.) a representative from Corrections Corporation of America,
- 3.) a representative from the Woman's Justice Project,
- 4.) a representative from the public defenders,
- 5.) one district court judge,
- 6.) a representative from health services in the corrections department,
- 7.) a classification officer from corrections department,
- 8.) the division director for probation and parole, and
- 9.) the mental health director of the woman's facility in Grants.

### Significant Issues

The Corrections Department states that HB582 will have a high impact on the department since the bill requires all task force staff to come from the Corrections Department. The bill also provides for per diem and for contracting for outside experts. However, the initial \$50.0 appropriation may not be enough to cover all administrative costs associated with the task force. Further, most of the members of the task force are members of the department and such additional duties may take away time from their current jobs. On the other hand, the task force may find problems with the women's correctional system that need to be fixed and making such repairs now could save the department a substantial amount in the later years.

## FISCAL IMPLICATIONS

\$50.0 is appropriated from the Tobacco Settlement Program Fund to New Mexico Corrections Department for FY04 to support the work of the task force. Funds unexpended or unencumbered at the end of the FY04 will revert.

**ADMINISTRATIVE IMPLICATIONS**

The Correction Department will have to staff the task force and set up accounts for per-diem and outside experts. Since the task force is comprised almost entirely of department personnel, it will mean more overtime/comp time for such work and, therefore, increase the administrative burden.

**CONFLICT, RELATIONSHIP**

HB582 appropriates \$50.0 from the Tobacco Settlement Program Fund. This conflicts and/or relates to numerous other bills that utilize these same funds for several other purposes.

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