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FISCAL IMPACT REPORT

SPONSOR: Fidel DATE TYPED: 3/12/03 HB _____

SHORT TITLE: Out-of-State Prisoner Fees SB 653/aSfI #1/aHTRC

ANALYST: Reynolds-Forte

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY03	FY04			
	Indeterminate (see fiscal implications)		Recurring	County Funds
	Indeterminate (see fiscal implications)		Recurring	General Fund

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

Responses Received From
LFC files

SUMMARY

Synopsis of HTRC Amendment to SB653

The House Transportation and Revenue Committee Amendment to SB653 strikes the Senate Floor amendment #1 which returns the bill to the original form.

Synopsis of SFI Amendment

The Senate Floor Amendment to SB653 changes the fee charged privately operated prisons for each out-of-state inmate from two dollars per day to three dollars per day, and changes the distribution of the fee so that two-thirds goes to the county where the prison is located, and one-third is distributed to the state general fund.

Significant Issues

Bernalillo, Cibola, Lee, Luna, Otero, Guadalupe, McKinley, Torrance and Valencia counties all have privately-operated prisons. Not all prisons house out-of-state inmates. Many of the prisons house federal inmates, but some of the federal inmates are inmates arrested within New Mexico.

FISCAL IMPLICATIONS

The revenues collected will be dependent upon the average number of out-of-state inmates housed in the privately operated prisons. The county will be paid two dollars per day and the state one-dollar per day for each out-of-state inmate housed in the privately operated prison. For every 100 inmates housed for the full year the private prison fee would be \$109.5 of which the county in which the prison is located will receive \$73.0 and the state \$36.5.

Synopsis of Original Bill

SB653 raises the minimum fee privately operated prisons pay to the county for each out-of-state inmate from seventy-five cents per inmate per day to two dollars per day per inmate.

Significant Issues

Bernalillo, Cibola, Lee, Luna, Otero, Guadalupe, McKinley, Torrance and Valencia counties all have privately-operated prisons. Not all prisons house out-of-state inmates. Many of the prisons house federal inmates, but some of the federal inmates are inmates arrested within New Mexico.

FISCAL IMPLICATIONS

SB653 raises the minimum fee paid to counties for out-of-system inmates housed by privately operated prisons from seventy-five cents per day to two dollars per day per inmate. The increased revenue to the counties with privately operated facilities is dependant upon the number of out-of-state inmates housed in each county; that number is indeterminate at this time. For every 100 inmates housed for the full year the private prison fee would be \$73.0.

PRF/prr:yr