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FISCAL IMPACT REPORT

SPONSOR Lundstrom DATE TYPED 1-30-04 HB 149

SHORT TITLE Reimburse Counties for Inmate Extraditions SB _____

ANALYST Reynolds-Forte

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	\$1,000.0			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to SB 90 and SB 162

SOURCES OF INFORMATION

LFC Files

Responses Received From
Corrections Department

SUMMARY

Synopsis of Bill

House Bill 149 appropriates \$1 million from the general fund to the Corrections Department in FY 2005 to reimburse counties for the expense of extraditing and transporting state inmates. Any unencumbered or unexpended balances revert at the end of FY05.

Significant Issues

The Corrections Department is concerned that the bill does not define “state inmates,” and there is no generally recognized or commonly understood definition of this term. Most extraditions are of persons charged with, but not convicted of a crime. Therefore, these persons have usually not been committed to the custody or supervision of the Corrections Department. The lack of definition is somewhat less problematic in the context of “transporting state inmates” because counties transport many inmates who have been sentenced to Department prisons.

FISCAL IMPLICATIONS

\$1 million is appropriated from the general fund to the Corrections Department in FY05 to reimburse counties for the cost of extraditing and transporting "state inmates." It is unknown if this amount is sufficient

ADMINISTRATIVE IMPLICATIONS

The Corrections Department is concerned that the bill would result in a significant increase in the administrative burden to certain Department personnel who would be responsible for paying for the claims submitted by the counties.

On the positive side, the bill could indirectly result in a reduction in the number of inmate transports required of the Corrections Department (e.g., transporting prison inmate to court) since the counties may be more willing to undertake the task if they received reimbursement.

PERFORMANCE IMPLICATIONS

The bill could slightly impair the Department's ability to pay contractors in a timely manner since some business managers and accounts payable personnel will be required to process a large number of new claims.

RELATIONSHIP

HB149 relates to SB90 which appropriates \$2 million to the Corrections Department to reimburse counties for parole violator expenses(housing and transport) and SB 162 which sets up the county detention reform fund and appropriates \$63.6 million to the fund to reimburse counties for housing and ancillary service costs.

OTHER SUBSTANTIVE ISSUES

The Corrections Department does not have any information on most extraditions. Therefore, it would be somewhat difficult for the Department to verify these claims. The Department suggests that perhaps it would be more appropriate for the Local Government Division of DFA to administer this fund. The Local Government Division has administered this Fund in the past.

RLG/dm:yr