

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR Martinez DATE TYPED 2/8/05 HB

SHORT TITLE Earned Meritorious Deduction Eligibility SB 601

ANALYST Peery

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
NA	NA	NA	NA	NA	NA

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

- New Mexico Corrections Department (NMCD)
- Parole Board (PB)
- Administrative Office of the Courts (AOC)
- Public Defenders Department (PDD)

No Responses

- Administrative Office of the District Attorneys (AODA)
- New Mexico Sentencing Commission (NMSC)

SUMMARY

Synopsis of Bill

Senate Bill 601 amends Section 33-2-34 (M) NMSA 1978 that allows offenders, other than sex offenders, serving a parole term following release from prison to be eligible to earn up to 30 days of “good time” per month while on parole. Under the law, certain parolees may reduce their parole period by 50 percent. Since the current law became effective on July 1, 2004 it only applies to those offenders who commit their crimes on or after July 1, 2004 to earn this good time while on parole. The proposed legislation would make the law applicable to an additional group of offenders, those offenders who are currently serving a parole term as of July 1, 2004 as well as those who began serving a parole term after July 1, 2004.

PERFORMANCE IMPLICATIONS

NMCD states the proposed legislation could improve the Department's performance of its probation and parole programs by allowing some offenders to discharge from parole earlier than they would otherwise thereby reducing parole caseloads, and allowing probation and parole officers more time and resources to supervise those offenders remaining on probation and parole.

FISCAL IMPLICATIONS

NMCD reports the proposed legislation could have a positive fiscal impact on the Department. NMCD estimates that the group of offenders on parole as of July 1, 2004 or who began a parole period after that date who would be eligible for parole good time under the current law to be somewhere between 20 and 75 individuals.

The cost per client in Probation and Parole for a standard supervision program is \$1,452 per year. The cost per client in intensive supervision programs is \$2,852 per year. The cost per client in department-operated community corrections programs is \$4,371 per year. The cost per client in privately-operated community corrections programs is \$9,151 per year. The cost per year for male and female residential community corrections programs is \$20,725.

ADMINISTRATIVE IMPLICATIONS

NMCD states the proposed legislation could reduce the administrative burden on the Department's probation and parole officers by additionally reducing their parole caseloads allowing those officers more time to supervise those still on probation and parole.

PB reports the proposed legislation would create a slight additional burden on the Parole Board to administer this action.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

AOC reports the proposed legislation conflicts with Senate Bill 63, Senate Bill 236, Senate Bill 599, Senate Bill 600, House Bill 420, House Bill 421 and House Bill 505.

OTHER SUBSTANTIVE ISSUES

NMCD's key quarterly performance measure for "number of regular caseloads of probation and parole officers" reports second quarter data of 100 with a fiscal year 2005 target of 77.

RLP/njw