

SF2850 - 0 - Presumptive Period of Incarceration

Chief Author: **John Jasinski**
 Committee: **Judiciary And Public Safety Finance And Policy**
 Date Completed: **2/15/2022 3:19:50 PM**
 Agency: **Corrections Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings) Dollars in Thousands	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	-	401	1,503	3,341
Total	-	-	401	1,503	3,341
Biennial Total			401		4,844

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	-	4.5	16.7	37.1
Total	-	-	4.5	16.7	37.1

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Jim Carlson **Date:** 2/15/2022 3:19:50 PM
Phone: 651-284-6540 **Email:** jim.carlson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	-	401	1,503	3,341	
Total	-	-	401	1,503	3,341	
	Biennial Total		401	4,844		
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund	-	-	401	1,503	3,341	
Total	-	-	401	1,503	3,341	
	Biennial Total		401	4,844		
2 - Revenues, Transfers In*						
General Fund	-	-	-	-	-	
Total	-	-	-	-	-	
	Biennial Total		-	-	-	

Bill Description

The proposed legislation would extend the term of imprisonment for individuals committed to the commissioner of corrections from two-thirds of their executed sentence to three-fourths of their executed sentence.

Assumptions

It is assumed the provisions of this bill would apply to people admitted to a state correctional facility as a new commit.

DOC planning staff estimate the provisions of this bill would result in the eventual need for 884 additional prison beds each year. The estimated year-by-year prison bed impact would be an additional 42 beds in FY2023, 130 beds in FY2024 and 261 beds in FY2025, eventually reaching 884 beds in FY2032 and each subsequent year.

The impact on supervision caseloads statewide is not expected to be significant as the same number of individuals would eventually be placed on an appropriate level of supervision after a short delay.

Prison bed costs are based on a marginal per diem cost of \$41.80 for FY2023, \$42.42 for FY2024, and \$43.18 for FY2025 and each subsequent year. This includes marginal costs for all facility, private and public bed rental, health care and support costs.

The annual costs are estimated by multiplying the number of prison beds by three subsequent annual per diem. Unless otherwise noted, prison beds are phased out on a quarterly basis.

Prison bed FTE impact for the increase in the offender population assumes 80 percent of the ongoing bed impact is personnel-related and the average salary per FTE is \$72,000 including benefits.

This bill would be effective August 1, 2022 and apply to persons sentenced on or after that date..

Expenditure and/or Revenue Formula

Costs/(Savings) for Prison Beds - DOC

Fiscal Year	2021	2022	2023	2024	2025
Number of Prison Beds	0	0	42	130	261

Cost of Prison Beds (in 000s)	\$0	\$0	\$401	\$1,503	\$3,341
FTEs	0	0	4.5	16.7	37.1

Long-Term Fiscal Considerations

Costs would increase each year, reaching \$13,932,000 in FY2033 and each subsequent year.

This fiscal note assumes use of operating capacity pre-COVID. Costs would be higher in the long-term if the incarcerated population meets or exceeds a capacity level where the DOC would need to rent beds from local corrections agencies. This would occur if there is a need to limit capacity due to social distancing and other pandemic protocols, or if full capacity is reached due to a higher number of total people serving a prison sentence.

Local Fiscal Impact

The impact on local correctional resources as a result of this bill would be minimal.

References/Sources

Department of Corrections staff

Agency Contact: Karen Juneski 651-361-7259

Agency Fiscal Note Coordinator Signature: Chris Dodge

Phone: 651-361-7264

Date: 2/15/2022 12:31:18 PM

Email: Chris.Dodge@state.mn.us