

FISCAL NOTE

Requested by Legislative Council
01/26/2001

Bill/Resolution No.: HB 1350

Amendment to:

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill provides that only a law enforcement officer employed by a governmental agency can transport violent and dangerous offenders between correctional facilities within or outside of the State. As defined in this bill Department of Corrections and Rehabilitation (DOCR) correctional officers and parole officers could no longer transport inmates. The DOCR could no longer transport its own inmates that are considered violent or dangerous between the state's three correctional facilities. The Division of Juvenile Services also transports about fifty percent of the juveniles in its custody to various placements all across the state. Also, parole officers could no longer transport inmates to facilities for the Department.

In Year 1999 Department of Correction's correctional officers transported more than 16,000 inmates between the three North Dakota prison facilities. Many of these offenders have some type of violent offense on their records. The cost for the DOCR to contract with law enforcement agencies to transport all of its violent or dangerous offenders would be high. Considering that the Department makes at least one transport of offenders to the JRCC in Jamestown from the Penitentiary each week, the cost to contract with law enforcement to make just these transports to the JRCC would be approximately \$30,000 for one biennium (assumes payment for the salary of two officers for a six-hour block of time and assumes that the DOCR's vehicles would be used for the transports). There are also several trips made each day between the MRCC and the Penitentiary; these transports also include offenders who have violence in their history. It would be extremely expensive for the DOCR to contract with local law enforcement agencies to make these inmate transports for the DOCR. The Department would also need to contract with local law enforcement for the transport of inmates from the Penitentiary and the JRCC to the private prison in Appleton, MN where the DOCR houses inmates. **The Department estimates that the total cost to**

the DOCR to implement HB1350 would be several hundred thousands of dollars each biennium.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Please see narrative above for detail. The Department estimates that the cost for law enforcement to transport all of the DOCR's transports of violent and dangerous offenders between correctional facilities inside and outside of the State would be several hundred thousands of dollars each biennium. Because of the short time available to the Department prior to the hearing of this bill, the Department was unable to calculate the cost for all of the many transports of inmates it makes each day from all three of its prison facilities.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Please see narrative above for detail. The Department estimates that several hundred thousands of dollars would need to be appropriated to the DOCR in order to cover the cost for law enforcement to make all of the DOCR's transports of dangerous and violent offenders between correctional facilities inside and outside of the State. Because of the short time before the hearing of the bill the Department was not able to compile the exact cost for all of the many transports of inmates it makes on a daily basis from its three prison facilities.

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