

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317)232-9855

FISCAL IMPACT STATEMENT

LS 6092

BILL NUMBER: HB 1038

DATE PREPARED: Oct 23, 1998

BILL AMENDED:

SUBJECT: Neglect of dependent causing death.

FISCAL ANALYST: Mark Bucherl

PHONE NUMBER: 232-9869

FUNDS AFFECTED: GENERAL
 DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill increases the penalty for neglect of a dependent to a Class A felony if the neglect results in the death of the dependent.

Effective Date: July 1, 1999.

Explanation of State Expenditures: This bill raises the offense for Class B felony neglect to a Class A felony when the neglect results in death. State expenditures could increase if an offender is incarcerated in a state prison for a longer period of time. A Class B felony is punishable by a prison term ranging between 6 to 20 years, depending upon mitigating and aggravating circumstances. A Class A felony is punishable by a prison term ranging from 20 to 50 years. The average expenditure to house an adult offender was \$20,500 in FY 97. Individual facility expenditures range from \$11,000 to \$27,000. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually or \$5 daily per prisoner. The average length of stay in DOC facilities for all Class A felony offenders is approximately seven years, ten months.

Explanation of State Revenues: No change would likely occur in state revenue as a result of this bill since criminal fines and court fees are the same for either Class B or A felonies.

Explanation of Local Expenditures:

Explanation of Local Revenues: No additional revenues would be expected since the court fees for Class B and Class A are both \$120.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Indiana Sheriffs Association, Department of Correction.