

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

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 8213

BILL NUMBER: HB 1950

DATE PREPARED: Jan 25, 1999

BILL AMENDED:

SUBJECT: Private correctional facilities.

FISCAL ANALYST: Mark Bucherl

PHONE NUMBER: 232-9869

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: This bill requires private correctional facilities to comply with operational and construction standards established by the department of correction. It also provides that a private correctional facility must reimburse the state and political subdivisions for any expenses incurred to locate, apprehend, and transport a committed person who escapes from a private correctional facility.

Effective Date: Upon passage.

Explanation of State Expenditures: This bill would entail minimal administrative expense in inspecting private facilities and adopting rules regarding minimum standards for private correctional facilities. This expense should be within existing budgetary expenditures since there are only two private facilities housing DOC offenders now. DOC currently inspects private and county jail facilities where DOC offenders are housed (Additional inspection personnel expense may be incurred in the future should DOC contract with more private facilities).

Any funds and resources required above could be supplied through a variety of sources, including the following: (1) Existing staff and resources not currently being used to capacity; (2) Existing staff and resources currently being used in another program; (3) Authorized, but vacant, staff positions, including those positions that would need to be reclassified (As of December 31, 1998, DOC had 46 vacant positions.); (4) Funds that, otherwise, would be reverted; or (5) New appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

Currently, 200 offenders are sent to the private Hardeman Prison in Tennessee. Also, 400 offenders are housed in a private facility under subcontract with the Marion County Sheriff's office. Figures are unavailable on the typical cost of locating, apprehending and transporting escaped offenders, reimbursable from private correctional facilities under this bill.

Explanation of State Revenues:

Explanation of Local Expenditures: Local units' cost of locating, apprehending and transporting escaped offenders would also be reimbursable from private correctional facilities under this bill.

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected: Local law enforcement agencies; Marion County Sheriff.

Information Sources: Planning Division, Department of Correction.