

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

301 State House
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FISCAL IMPACT STATEMENT

LS 7235

BILL NUMBER: HB 1805

DATE PREPARED: Jan 13, 2001

BILL AMENDED:

SUBJECT: Reimbursement of Counties for Housing Inmates.

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**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill requires the Department of Correction (DOC) to pay a county for each day that a convicted person is lawfully detained in the county jail after sentencing and before the person is transported for commitment to the Department of Correction. It makes the rate of payment to the county the same rate at which the county is compensated for housing inmates.

Effective Date: July 1, 2001.

Explanation of State Expenditures: This bill results in added expenditures of at least \$2,071,650 per year. The added costs would come from two populations: those individuals who are sentenced to the custody of DOC but serve their sentences in county jails and those who are sentenced to DOC facilities and who remain in county jails until transported to DOC facilities.

For the first population group, the average number of offenders who serve their sentences in county jails is an estimated 1,350. Under Indiana's current budget, DOC begins to pay a reimbursement of \$35 per day after the fifth day in jail. Assuming that this policy will remain in the next biennium budget, the additional cost for these offenders would be an estimated \$236,250 (1,350 offenders x 5 days x \$35 per day).

For the second offender group, the additional cost would be \$367,080 for **each** day the offenders spend in jail. DOC staff indicate that offenders spend an average of five days in jail before being transported to DOC facilities. **Consequently the added cost for this group is \$1,835,400 for the five-day wait.** The daily cost is calculated as the difference between the number of offenders committed to DOC facilities in FY 2000 (11,838) and the number remaining in county jails for the length of their prison sentence (1,350) multiplied by the reimbursement rate of \$35 per day. The number of days between sentencing and transportation to DOC facilities for these offenders varies with the severity of the crime. Offenders convicted of violent crimes are given the highest priority for movement from county jails to DOC.

Note: In the FY 1999-2001 budget, the State General Fund has reimbursed counties at the rate of \$35 per day for felons remaining in county jails for more than five days after sentencing,

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues: This bill would result in total reimbursement of \$2,071,650 (See Explanation of State Expenditures.). Counties would receive \$236,250 for the first five days that offenders sentenced to the custody of DOC but remaining in county jails for the length of their sentence. Counties would also receive \$367,080 for each day that offenders spend in jail before being transported to DOC facilities. Since these offenders spend an average of five days in jail, the added revenue for this group would be \$1,835,400.

State Agencies Affected: Department of Correction.

Local Agencies Affected: County sheriffs.

Information Sources: Offender Population Statistical Report for the Month of June, 2000 and FY 2000, Department of Correction; HEA 1001--1999.