

Department of Planning and Budget 2006 Fiscal Impact Statement

1. Bill Number SB344

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. Patron Obenshain

3. Committee Passed both houses

4. Title Contact with criminal street gangs

5. Summary/Purpose:

Under current law, a judge may suspend the sentence of convicted offenders and place them on probation under such conditions as the judge determines are appropriate. The proposed legislation makes it explicit that, in cases of offenders who are active members of criminal street gangs, judges may, as a condition of a suspended sentence or probation, prohibit them from having contact with people whom they know to be members of criminal street gangs.

6. Fiscal Impact Estimates Are: Final. See Item 8.

7. Budget amendment necessary: No.

8. Fiscal implications:

The likelihood of an offender violating the conditions of his probation, thus being committed to prison or jail to serve all or part of his original sentence, increase with the number of conditions placed on him during probation. Therefore, being prohibited from having contact with gang members may make it more likely that a convicted member of a gang will violate his probation. However, a judge could have placed such probation conditions on an offender under current law. Therefore, the proposed legislation is not likely to have any fiscal impact.

9. Specific agency or political subdivisions affected:

Department of Corrections
Circuit court judges

10. Technical amendment necessary: No.

11. Other comments: Identical to HB 901.

Date: 03/28/06 / rwh

Document: G:\LEGIS\Fis-06\SB344ER.DOC Dick Hall-Sizemore