

# Department of Planning and Budget

## 2009 Fiscal Impact Statement

**1. Bill Number** SB 1196

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron**        Puckett

**3. Committee**   Senate Courts of Justice

**4. Title**         **Behavioral correction program**

**5. Summary/Purpose:**

The proposed legislation would provide judges an optional sentencing tool for offenders with substance abuse problems. Those eligible for the proposed behavioral correction program would be felony offenders who would have been sentenced to a fixed term of three years or more and who the court determines require treatment for drug or alcohol abuse.

Under the provisions of the legislation, the court would still sentence such an offender to the sentence that would have been deemed appropriate for the offense for which he had been convicted prior to the program being enacted. However, the court order would provide that, upon completion of an intensive therapeutic community-style substance abuse treatment program lasting at least 18 months, the court could suspend the balance of the sentence.

**6. Fiscal Impact:** Indeterminate. See Item 8.

**7. Budget amendment necessary:** None.

**8. Fiscal implications:**

The Department of Corrections currently operates intensive substance abuse treatment programs, call therapeutic community programs, in several prisons. Therefore, the agency could accommodate offenders referred to the program under the provisions of the proposed legislation without any additional cost.

Any fiscal effects of the proposed language would be realized in the future. By reducing the amount of time offenders with substance abuse problems would otherwise spend in prison, the proposed legislation could reduce the projected future growth in prison population. The extent to which this reduction would be realized would be dependent on the extent to which judges utilized the option proposed in the legislation. However, any reduction in the prison population growth would reduce the need to build new prisons.

**9. Specific agency or political subdivisions affected:**

Department of Corrections

**10. Technical amendment necessary:** None.

**11. Other comments:** None.

**Date:** {2/3/2009} rwh

**Document:** G:\LEGIS\Fis-09\Sb1196.DOC Dick Hall-Sizemore