

# Department of Planning and Budget

## 2009 Fiscal Impact Statement

**1. Bill Number** SB 1235

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

**2. Patron**        **Barker**

**3. Committee** Militia, Police, and Public Safety

**4. Title**         **Conditional release of prisoners**

**5. Summary/Purpose:**

Under current law, prison inmates who have reached 60 or 65 years, depending on how many years of their sentence have been served, may apply to the Parole Board for a conditional release from prison, even if they are not eligible for parole otherwise. The granting of the conditional release is discretionary with the Parole Board.

The proposed legislation would expand the eligibility for conditional release to inmates who are terminally ill or permanently and totally disabled. Any person granted conditional release as a result of being designated terminally ill shall be remanded if that person recovers from the terminal illness or his prognosis does not estimate death within six months or less.

**6. Fiscal Impact estimate:** Preliminary. See Item 8.

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

**8. Fiscal implications:**

Inmates who are not eligible for parole may now apply to the Governor for medical clemency. Before going to the Governor, these applications are reviewed by the Parole Board. Therefore, any petitions for conditional release based on health reasons that might be filed if the proposed bill were enacted would most likely have otherwise been reviewed as applications for medical clemency. Consequently, it is unlikely that the proposed legislation would result in an increase in the Parole Board's workload.

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

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

**11. Other comments:** None.

**Date:** {2/16/2009} rwh

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