

Department of Planning and Budget 2012 Fiscal Impact Statement

1. Bill Number: HB 75

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

2. Patron: Habeeb

3. Committee: House Courts of Justice

4. Title: Credit for time served

5. Summary:

Generally, persons convicted of offenses are entitled to a credit equal to time served awaiting trial to be applied to their sentences. However, if a person is released from custody prior to trial, either conditionally or unconditionally, he is not entitled to such a credit.

The proposed legislation would authorize a court to allow credit for time served prior to trial while under home/electronic incarceration.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Indeterminate. See Item 8.

8. Fiscal Implications:

If enacted, the proposed legislation would reduce the amount of time that some convicted offenders would have to spend actually confined in jails or prisons. The state reimburses localities \$4 per day for housing persons convicted of misdemeanors and \$12 per day for those convicted of felonies. Therefore, the state could realize direct per diem savings and the state and localities could realize the overall operational savings from fewer inmates in jails and prisons. However, because there is insufficient information available regarding the number of defendants who are placed on home/electronic monitoring while waiting trial, the degree to which courts would award the credit, or the amount of time that would be credited toward their sentences under this legislation, it is not possible to estimate the amount of these savings.

9. Specific Agency or Political Subdivisions Affected:

Department of Corrections
Compensation Board
Local and regional jails

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/16/2012

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