

Department of Planning and Budget 2021 Fiscal Impact Statement

1. Bill Number: SB1363 S2

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

2. Patron: Marsden

3. Committee: Rehabilitation and Social Services

4. Title: Board of Local and Regional Jails; powers and duties.

5. Summary: This bill provides the Board of Local and Regional Jails (the Board) the authority to: (i) ensure the development of long-range policies, programs, and plans for corrections services provided at the state and local levels; (ii) review and comment on all budgets and requests for appropriations for the Department of Corrections (the Department) prior to submission to the Governor and on all applications for federal funds, (iii) monitor the activities of the Department and its effectiveness in implementing the standards and goals of the Board.

The substitute bill expands the Board from nine to 14 members. The bill sets specific requirements for membership including: one former attorney for the Commonwealth; one mental health professional; one former defense attorney; one former inmate of a state correctional facility; one former correctional officer; one former sheriff; one former regional jail superintendent; and one representative of an organization that advocates for prisoner rights. The bill also requires six regional representatives who have expertise in corrections and that reflects the racial, ethnic, and gender diversity of the Commonwealth.

The substitute bill expands the powers and duties of the Board to include establishing operational and fiscal standards, promulgating rules and regulations, implementing policies and procedures for reviewing inmate deaths, establishing minimum standards for health care services for state correctional facilities. The substitute bill also provides the Board the authority to review and approve the content and frequency of correctional officer training programs provided by the Department; and to collect and review information on disciplinary practices and trends in state, local, regional, and community correctional facilities and, as appropriate, adopt rules and regulations to improve disciplinary practices.

6. Budget Amendment Necessary: See Line 8.

7. Fiscal Impact Estimates: Preliminary. See Item 8 below.

8. Fiscal Implications: The DOC currently provides staff support to the Board of Local and Regional Jails, including budgeting and other administrative functions. Based on the expansion of Board's duties in the substitute version of the bill, the Department of Corrections (DOC) believes the Board or the DOC would require additional resources to

implement the provisions of this legislation. DOC believes that up to eight additional support staff may be needed, at an annual cost of \$664,604 (salary and benefits). These positions include facilities and management analysts, fiscal and grants specialists, and administrative staff.

9. Specific Agency or Political Subdivisions Affected: Board of Local and Regional Jails, Department of Corrections

10. Technical Amendment Necessary: No

11. Other Comments: The substitute bill contains an enactment clause that states that the provisions of this act shall not become effective unless an appropriation effectuating the purposes of this act is included in a general appropriation act passed in 2021 by the General Assembly that becomes law.