

## **Department of Planning and Budget 2017 Fiscal Impact Statement**

**1. Bill Number: HB 2339**

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

**2. Patron: Bell, Robert B.**

**3. Committee: House Courts of Justice**

**4. Title: Probation violations; intermediate sanctions**

**5. Summary:**

The proposed legislation would authorize a local or state probation officer to arrest and commit a probationer to up to five days in a local or regional jail upon the probationer's violation of any of the terms or conditions of probation under the following conditions:

- The sentencing court had expressly delegated such authority in its sentencing order for the offender;
- The supervisor of the probation officer had approved the arrest and commitment;
- The probation officer had issued a noncompliance letter authorizing the arrest;
- The probation officer had notified the offender of his right to a probation violation hearing; and
- The offender had knowingly, in writing, waived his or her right to a probation violation hearing and consented to the commitment to jail.

The total of all these commitments, called intermediate sanctions, could not exceed 30 days during the offender's probation period.

**6. Budget Amendment Necessary: None.**

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

**8. Fiscal Implications:**

For each inmate, not eligible to be transferred to a state correctional facility, housed in a local or regional jail, the state reimburses the jail \$4.00 per day. The proposed legislation could result in additional per diem payments; however, because the proposed authority is new and there is no history of its use, it is not possible to project the extent to which it would be used and any additional per diem costs that might result.

The Compensation Board would need to modify its automated inmate tracking system, LIDS-CORIS, to add this new category of jail inmates. The cost of such a modification is not known.

**9. Specific Agency or Political Subdivisions Affected:**

Department of Corrections  
Compensation Board  
Local community probation offices  
Local and regional jails  
Circuit and district court judges

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** None.

**Date:** 1/25/2017