

Department of Planning and Budget 2021 Fiscal Impact Statement

1. Bill Number: SB1363

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 bill also allows the Board to authorize the payment of medical expenses incurred by a prisoner after his release or discharge from the Department when such expenses are the result of an injury suffered by the prisoner while incarcerated and not caused by the misconduct of the prisoner. Chapter 375, 2011 Acts of Assembly, repealed the Board's authority to perform these tasks.

6. Budget Amendment Necessary: Indeterminate. See Line 8.

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

8. Fiscal Implications: The Department of Corrections (DOC) provides staff support to the Board of Local and Regional Jails, including budgeting and other administrative functions. As long as the Department of Corrections continues to provide administrative functions for the Board, the administrative functions included in this bill are not expected to have a fiscal impact on either entity.

The bill provides that the Board may authorize the payment of medical expenses incurred by a prisoner after his release or discharge from DOC when such expenses are the result of an injury suffered by the prisoner while incarcerated at a state correctional facility and not caused by the misconduct of the prisoner. Each year, approximately 12,500 state-responsible prisoners are released from incarceration; in calendar year 2019, about 55 percent of these were released from DOC facilities, the remainder were released from local and regional jails. It is not feasible to determine at this time how many prisoners would seek payment of medical expenses incurred after release for injury sustained while the prisoner was incarcerated in a state correctional facility. It is also not feasible to estimate the amount that would be requested by the prisoner, and the amount that would be authorized by the Board.

The provisions of the bill are expected to have an impact on DOC, but the amount cannot be determined at this time.

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

10. Technical Amendment Necessary: No

11. Other Comments: None