

Department of Planning and Budget

2024 Session Fiscal Impact Statement

1. Bill Number: HB159 H1

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

2. Patron: Seibold

3. Committee: Public Safety

4. Title: Use of canines in correctional and juvenile correctional facilities; prohibited acts.

5. Summary: The substitute bill makes it unlawful for any correctional officer or other employee of a state correctional facility who is permitted to handle canines to use a patrol or security canine in any state correctional facility unless such correctional officer or other employee (i) reasonably believes that the use of a patrol or security canine is immediately necessary to protect any prisoner or any officer or employee from the threat of serious bodily injury or death or (ii) has the prior approval of the warden or a supervisor to use a patrol or security canine to intervene in an altercation, fight, or other incident between three or more prisoners. The bill requires correctional officer to provide a warning to the subject of any canine use of force prior to the deployment of a canine if feasible.

The substitute bill requires the Department of Corrections (DOC) to make public any policies and regulations relating to (i) the use of canines, (ii) training requirements for both canines and the handlers of such canines, and (iii) the supervision of the officers or employees who are permitted to handle such canines. The bill also requires DOC to track all canine uses of force and all incidents in which canines were present or requested for assistance, but no canine use of force occurred. This information is to be published on the department's website. The bill specifies that such provisions do not apply to the training or use of detector canines or detector canine handlers in state correctional facilities.

The substitute bill makes it unlawful for any juvenile correctional officer or other employee of a juvenile correctional facility to use a patrol or security canine in any juvenile correctional facility. The bill specifies that such provisions do not apply to the training or use of detector canines or detector canine handlers in juvenile correctional facilities. The bill clarifies that canines may be used to locate a juvenile who has escaped from a juvenile correctional facility.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: According to the Department of Corrections, this bill is not expected to have a fiscal impact on agency operations.

According to the Department of Juvenile Justice, the agency does not use security canines in its facility. Therefore, this bill has no fiscal impact on agency operations.

The fiscal impact on the Office of the Attorney General cannot be quantified at this time.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections,
Department of Juvenile Justice, local and regional jails, Office of the Attorney General

10. Technical Amendment Necessary: No

11. Other Comments: None