



## **State Expenditures**

**The bill will increase one-time state General Fund expenditures in FY 2014-15 by \$175,100 to make computer system changes to allow for adjustments in earned time.** As discussed below, this bill will also increase expenditures for the DOC by an indeterminate amount in future years.

***Adjustments to computer systems.*** Adjustments to the DOC Information System and Personal Computer DOC Information System applications will need to be made to create a new earned time transaction code and to modify the Time Computation Reports for both inmates and parolees. A total of 1,700 hours of computer programming are required at the cost of \$103 per hour. This creates a one-time General Fund cost of \$175,100 in FY 2014-15. This work will be performed by the Governor's Office of Information Technology.

***Removal of vesting of earned time.*** The bill removes vesting of earned time for all offenders. To the extent that the DOC withdraws earned time from offenders that it would have previously considered vested, the bill will increase expenditures by increasing the length of stay for these offenders. The impact of this provision is conditional upon future actions by offenders and the results of administrative hearings and cannot be determined. The fiscal note assumes that to the extent this occurs, the DOC will request increases in appropriations through the annual budget process.

***Removal of earned time for additional crimes of violence.*** The bill requires the DOC to remove earned time for any offender that is found, through an administrative hearing, to have engaged in a crime of violence while under the department's supervision. The effect of this provision is to increase the length of stay for any such offender by an indeterminate amount. For offenders that are not adjudicated, this bill could increase expenditures beginning in FY 2014-15. There is no data from which to estimate the number of offenders this could apply to or how much earned time would be withdrawn. This fiscal note assumes that should this occur, the DOC will request additional appropriations through the annual budget process.

For offenders that are convicted of additional crimes of violence, the bill would extend the offender's sentence following completion of the sentence for the new crime. Crimes of violence are subject to sentences of at least the midpoint and up to twice the maximum in the presumptive range for the class of felony. For instance, a person convicted of a class 3 felony crime of violence is subject to a sentence of between 8 and 24 years in prison. Based on offenses committed in 2012 and sentenced in 2013, the fiscal note assumes that 30 offenders per year would have their lengths of stay increased by an average of 8.5 months. However, because the increased length of stay would not be realized until the end of the new sentence, which is likely to be significant, no fiscal impact is anticipated for this group of offenders within the next five years.

## **Effective Date**

The bill takes effect August 6, 2014, if the General Assembly adjourns on May 7, 2014, as scheduled, and no referendum petition is filed.

**State Appropriations**

For FY 2014-15, the Department of Corrections requires an appropriation of \$175,100 General Fund. The Governor's Office of Information Technology requires spending authority in the amount of \$175,100 reappropriated funds.

**State and Local Government Contacts**

Corrections

Governor's Office of Information Technology