

BILL SUMMARY
2nd Session of the 54th Legislature

Bill No.:	HB2804
Version:	CS
Request Number:	10278
Author:	Representative Biggs
Date:	3/11/2014
Impact:	Annual Cost Increase - DOC \$1,874,640 - \$23,745,440
Depending upon Negotiated or Established Rate	

Research Analysis

The committee substitute to HB 2804 schedule the transfer and receive inmates from county jails within 45 days after receipt of the judgment and sentence of the inmate unless other arrangements to continue housing eth inmate can be made with the sheriff. The measure allows counties that do not have an existing contract to retain inmates with the Department of Corrections to be paid a negotiated daily rate for each inmate. Allows the presiding district judge to determine a daily rate of reimbursement if the Department and county are unable to agree on negotiated rate.

Prepared By: Brad Wolgamott

Fiscal Analysis

HB2804 requires the Department of Corrections (DOC) to transfer inmates from the county jail to DOC custody within forty-five days after receipt of the judgment and sentence or make other arrangements with the sheriff. According to DOC, HB2804 will cost DOC somewhere between \$1.8 million and \$10.7 million, depending upon the negotiated rate between the county and DOC or the rate established by the presiding district judge in the county.

Since 2007, DOC has been reimbursing counties \$27 per day for housing inmates from the date of sentencing until the date of transfer from the county jail to DOC custody. In 2013, there were an average 1,712 inmates in county jail backup beds. At \$27 per day, DOC paid county jails approximately \$16,871,760 in 2013. Since HB2804 authorizes the presiding district judge to establish the rate for the county if no agreement is reached, and there is no upper limit, it can be assumed that the rate will increase in every county by some unknown amount.

Every \$1 increase in the rate will cost DOC approximately \$625,000 annually. Below are a few sample calculations, based on 2013 county jail inmate counts, estimating the fiscal impact to DOC if the rate is increased from \$27/day.

\$30/day = \$ 1,874,640
\$35/day = \$ 4,999,040
\$40/day = \$ 8,123,440
\$45/day = \$11,247,840
\$50/day = \$14,372,240
\$55/day = \$17,496,640
\$60/day = \$20,621,040
\$65/day = \$23,745,440

Prepared By: Marilyn Anderson

Other Considerations

On 3/10/14, there were 1,892 offenders in county jail backup beds and DOC facilities were at 101.7% capacity. It is not possible at this time for the Department to receive all offenders within 45 days as required by this measure.

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