

**Senate Fiscal Summary**  
2<sup>nd</sup> Session of the 60<sup>th</sup> Legislature



**Senate Bill 1238**

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<b>Version:</b>	<b>INT</b>
<b>Agency:</b>	<b>DOC</b>
<b>Senate Author:</b>	<b>Coleman</b>
<b>House Author:</b>	
<b>FY'27 Impact:</b>	<b>Undeterminable</b>
<b>Full Year Impact:</b>	<b>Undeterminable</b>

**Bill Summary and  
Fiscal Analysis:**

SB 1238 changes the first offense minimum penalty for people who are convicted of domestic abuse in the presence of a child from 6 months-1 year to 1-5 years. The first offense is also designated as a felony. The maximum fine is increased from \$5,000 to \$7,000.

The fiscal impact of the measure is undeterminable. A point-in-time data review identified 141 inmates currently incarcerated under 21 O.S. §644.1 and §644(G), with an average length of incarceration of approximately 2,754 days (7.55 years). The data was reviewed to assess whether it could serve as a baseline for estimating potential impact; however, it does not capture the frequency with which misdemeanor offenses would meet the new enhancement criteria under the proposed measure. The DOC does not have access to data identifying how often the new enhancement provisions will apply and because of that, a reliable fiscal impact cannot be determined at this time. Additionally, the DOC notes any incarceration increases would be dependent on the number of future convictions. They have provided the marginal/incremental cost of an incarcerated inmate, which is \$67.26 per day or \$24,549.90 per year

Fiscal Impact provided by the Department of Corrections.