

HOUSE BILL NO. 778

Introduced: 02/12/83

Referred to Committee on Appropriations: 02/12/83

Hearing: 2/20/83

Died in Committee

1 House BILL NO. 778

2 INTRODUCED BY Waldron

3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PRISONERS TO
6 REIMBURSE THE STATE FOR THE COST OF THEIR IMPRISONMENT; AND
7 PROVIDING AN EFFECTIVE DATE."

8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Prisoner reimbursement of cost of
11 imprisonment. The department of institutions may require
12 convicted persons committed to department correctional
13 institutions or facilities to reimburse the department for
14 the costs, other than fixed or indirect costs, incurred as a
15 result of their incarceration to the extent of their ability
16 to pay such costs. The attorney general, upon request of the
17 department, may institute actions in the name of the state
18 of Montana to recover the costs. Costs recovered by the
19 department or the attorney general must be paid into the
20 general fund.

21 Section 2. Effective date. This act is effective July
22 1, 1983.

-End-

INTRODUCED BILL

11 5/778

STATE OF MONTANA

REQUEST NO. 396-83

FISCAL NOTE

Form BD-15

In compliance with a written request received February 14, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 778 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 778 requires prisoners to reimburse the state for the cost of their imprisonment.

ASSUMPTIONS:

- 1) The only direct costs which are variable are food, clothing and personal items.
- 2) Inmate days are based on a population of 725 for the prison only.
- 3) Costs were taken from the Executive Budget.
- 4) Ancillary costs such as medical, optometry, dental, legal, etc. would be directly charged up to ability-to-pay.
- 5) Inmates would be allowed to accumulate up to \$300 in their account before any assessment for per diem would be made.
- 6) Inmates would take legal action to keep the assessment for per diem to be made to their account. This would necessitate using the Attorney General's Office to enforce this action.
- 7) The inmate account system would be used for determining ability to pay. No evaluation will be made of assets outside the inmate account system.
- 8) Programming the inmate account system to make the direct changes such as medical costs, legal costs, etc. as well as the assessment to the inmate accounts would have to be made.

CALCULATION OF FISCAL IMPACT:

	<u>FY 84</u>	<u>FY 85</u>
<u>Per Diem Costs:</u>		
Food	\$724,279	\$767,736
Clothing & Personal	104,160	110,321
Clothes Cleaning Cost	1,506	1,596
Total	<u>\$829,945</u>	<u>\$879,653</u>
<u>Inmate Days:</u>		
725 x 365 =	264,625	264,625
Per Diem Cost	\$3.14/day	\$3.32/day

Revenue:

As of 4/16/83 there were 45 inmates with cash balances over \$300.00.

4 x 365 days x cost per day \$ 51,574

\$ 54,531

Continued

David M. Lee
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-19-83

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FISCAL IMPACT:

<u>General Fund</u>	<u>FY 84</u>	<u>FY 85</u>
Revenue	\$ 51,574	\$ 54,531
Cost To Operate	<u>21,236</u>	<u>17,164</u>
Net Revenue To General Fund	<u>\$ 30,338</u>	<u>\$ 37,367</u>

FISCAL NOTE 14:N/2

HB 778