

Fiscal Estimate Narratives

DOC 5/11/2011

LRB Number	11-1724//1	Introduction Number	SB-088	Estimate Type	Original
Description Possession of dogs by certain felony offenders and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

This legislation proposes creating several criminal penalty violations for certain felony offenders when the offender possesses, controls, or resides with a vicious dog. A vicious dog under this proposal is determined by a humane officer or a law enforcement officer. Also, under this legislation a felon's dog is required to have a microchip implanted for identification purposes.

The Department of Corrections is unable to estimate the number of offenders who will be subject to the new criminal penalty provisions or what the sentencing practices of the courts will be; therefore a state fiscal impact cannot be estimated. The Department would see increased costs, if offenders are convicted under the new criminal penalty violations and are placed on community supervision or sentenced to prison.

The average FY10 annual cost for an inmate in a DOC institution is approximately \$32,100. However, when there is excess capacity in DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of inmates is approximately \$5,100, based on FY10 costs. Should the Department use contract beds, the rate would be approximately \$18,800 annually per person. The average FY10 annual cost for community supervision is approximately \$2,800.

A local impact will occur if an adult offender is sentenced to a jail term under this legislation.

Long-Range Fiscal Implications