



## Fiscal Estimate Narratives

DOC 4/11/2016

LRB Number	<b>15-4583/1</b>	Introduction Number	<b>AB-0981</b>	Estimate Type	<b>Original</b>
<b>Description</b> Eliminating monetary bail as a condition of release in criminal proceedings					

### Assumptions Used in Arriving at Fiscal Estimate

This bill eliminates monetary bail as a condition of release for a defendant charged with, or convicted of, a crime. The bill also eliminates the practice of imposing a monetary bail on a witness to ensure the witness's appearance at trial, eliminates the use of monetary bail to compensate victims of crimes, and eliminates the use of monetary bail as a means of securing a person's appearance in a civil forfeiture action.

The Department of Corrections (DOC) does not currently supervise the types of individuals who, under current law, may be released with monetary bail as a condition of release. Therefore, this bill would have no state fiscal impact on the DOC.

If this bill's removal of monetary bail as a condition of release leads to changes in the number of crimes committed and the number of cases where defendants fail to appear in court, there may be a fiscal impact on local governments. The average FY15 annual cost to jail inmates is \$18,800.

Under current law, a person making a bail deposit for a noncriminal offense must also deposit enough money to cover the jail surcharge. If bail is returned to the person, the jail surcharge is also returned, but if bail is forfeited, the amount deposited for the jail surcharge is transmitted to the county treasurer. With this bill's elimination of monetary bail, counties would no longer receive forfeited jail surcharge deposits. However, since it is not clear how often courts order that bond be forfeited, the fiscal impact on counties of this change is indeterminate.

### Long-Range Fiscal Implications