



**Fiscal Estimate Narratives**

**DOC 10/22/2009**

LRB Number <b>09-2550/1</b>	Introduction Number <b>AB-0503</b>	Estimate Type <b>Original</b>
<b>Description</b> Exposure to a minor and providing a penalty		

**Assumptions Used in Arriving at Fiscal Estimate**

This bill changes the penalty from a Class A misdemeanor (maximum of nine months in a county jail) to a Class I Felony (maximum 1.5 years confinement and 2 years extended supervision) when a person, who is age 17 or over, exposes his or her genitals or pubic area or causes a child to expose his or her genitals or pubic area for the purpose of sexual gratification or arousal.

The Department of Corrections is unable to estimate the number of offenders who may be subject to the criminal penalty provisions of this bill. If offenders who were previously sentenced to a county jail are now sentenced to prison, DOC would see increase costs. The FY09 annual cost for an inmate in a DOC institution is approximately \$31,800. 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 \$4,900, based on FY09 costs. When there is no excess capacity in DOC facilities, as is currently the case, the Department uses contract beds at rate of \$18,800 annually per person. The annual cost for community supervision is \$2,600.

County jails would see a decrease in jail costs if offenders are sentenced to a state prison rather than a county jail.

**Long-Range Fiscal Implications**