

Fiscal Estimate - 2017 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 17-2897/1	Introduction Number SB-230
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Description
 burial or cremation and burial of a deceased prison inmate, cremation of an unclaimed corpse, and prohibition on cremation of an unclaimed corpse in cases of homicide

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate
 Increase Existing Appropriations
 Increase Existing Revenues
 Decrease Existing Appropriations
 Decrease Existing Revenues
 Create New Appropriations

Increase Costs - May be possible to absorb within agency's budget
 Yes No
 Decrease Costs

Local:

No Local Government Costs
 Indeterminate

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
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Fund Sources Affected	Affected Ch. 20 Appropriations
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By DOC/ Peter James (608) 240-5422	Authorized Signature Donald Friske (608) 240-5056	Date 5/9/2017
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Fiscal Estimate Narratives

DOC 5/9/2017

LRB Number	17-2897/1	Introduction Number	SB-230	Estimate Type	Original
Description burial or cremation and burial of a deceased prison inmate, cremation of an unclaimed corpse, and prohibition on cremation of an unclaimed corpse in cases of homicide					

Assumptions Used in Arriving at Fiscal Estimate

This bill changes procedures relating to burial or cremation and burial of a deceased prison inmate and cremation of an unclaimed corpse. Under the bill, the Department of Corrections (DOC) must provide written notification to a deceased inmate's relative informing him or her that DOC will, upon request, provide a copy of any autopsy report or other report regarding the inmate's death and allow the relative to claim the cremated remains of the inmate before the remains are buried. With certain exceptions, the bill allows the superintendent of an institution or other public officer to cremate and bury an unclaimed corpse.

The bill prohibits cremation of an unclaimed corpse if the deceased person died as a result of homicide. The bill also adds an express allowance for DOC to charge a prisoner's estate for some or all of the costs to the department of the prisoner's incarceration or burial or cremation and burial. Under the bill, if an inmate in a state prison has not paid court-ordered restitution at the time of his or her death, DOC is required to assess, collect, and disburse the amount owed from the inmate's wages or other moneys.

From FY07-FY17 YTD, the DOC has approximately 11.5 unclaimed deceased inmates per year. The DOC spends an average of approximately \$2,400 per burial of an unclaimed deceased inmate for a total estimated average cost of \$27,500 annually. The average cost of cremation at funeral homes around the state is approximately \$1,650 per service. If the DOC were to cremate unclaimed deceased inmates rather than burying them, the average annual estimated cost would be \$18,900, which would result in cost avoidance of \$8,600 per year.

Additionally, the bill gives the DOC authority to charge a prisoner's estate for some or all of the costs to the department for the prisoner's incarceration or burial or cremation and burial if the inmate has paid all victim restitution. The average inmate account at death during this Fiscal Year for unclaimed deceased inmates was \$650. The DOC is unable to determine how many unclaimed deceased inmates had or will have completed paying victim restitution. Thus, it is impossible to predict how much money the DOC will collect from unclaimed deceased inmates' accounts. The estimated amount collected from unclaimed deceased inmates' accounts is between \$0 and \$7,475 (11.5 unclaimed deceased inmates (*) \$650) annually.

Overall, the DOC estimates that it will experience cost avoidance between \$8,600 and \$16,075 annually from this bill.

The fiscal impact locally for county jails is unknown. The DOC does not know if county jails will have cost avoidance from cremating and burying unclaimed deceased inmates compared to burying unclaimed deceased inmates. Additionally, the DOC does not know if any county jails will switch to cremation and burial of unclaimed deceased inmates or continue burying unclaimed deceased inmates. The bill only gives authority to the DOC, not local institutions, to be reimbursed for cremation and burial costs after victim restitution has been paid.

Long-Range Fiscal Implications