

Fiscal Estimate - 2019 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 19-0951/1	Introduction Number AB-0398
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Description
 treatment of a pregnant or postpartum person in prison and county jail

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate

<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
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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 Paulina De Haan (608) 240-5056	Date 10/9/2019
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Fiscal Estimate Narratives

DOC 10/9/2019

LRB Number	19-0951/1	Introduction Number	AB-0398	Estimate Type	Original
Description treatment of a pregnant or postpartum person in prison and county jail					

Assumptions Used in Arriving at Fiscal Estimate

This bill creates new laws that limit the use of physical restraints on pregnant and postpartum people who are in the custody of a correctional facility, which includes state prisons, county jails, municipal lockups, juvenile correctional facilities, or juvenile detention facilities. This bill also requires that every woman in the custody of a correctional facility be offered testing for pregnancy and, if pregnant, be offered testing for sexually transmitted infections. Finally, this bill requires that the correctional facility where the pregnant or postpartum person is being confined provides information and access to health services related to pregnancy, labor, and the postpartum period.

The Department of Corrections (DOC) is unable to estimate the state fiscal impact of this bill since the security and health needs of inmate patients are very individualized. However, the DOC has policies in line with many of the provisions of this bill, so the fiscal impact is anticipated to be minimal. It should be noted, however, that any reduction in flexible security options available to the DOC may result in an increase in staff costs through overtime or through hiring limited term employees (LTEs) to provide additional security.

DOC administrative code requires jails to have policies and procedures for pregnancy management, but does not specify any additional criteria. Jails have complete discretion in determining what their policies will be. To that end, some jails may already have policies in place that are similar to the provisions of this bill. Others, however, may need to change their policies in order to be compliant with this bill. The local fiscal impact is ultimately indeterminate because the costs may vary among the counties and municipalities depending on the amount of change needed to be compliant with this bill.

Long-Range Fiscal Implications