

Fiscal Estimate - 2023 Session

Original Updated Corrected Supplemental

LRB Number **23-5038/1** Introduction Number **SB-0844**

Description
access to prisons and jails for oversight purposes

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
 - Increase Existing Revenues
 - Decrease Existing Revenues
 - Increase Costs - May be possible to absorb within agency's budget
 - Yes
 - No
 - Decrease Costs

Local:

- No Local Government Costs
 - Indeterminate
 - 1. Increase Costs 3. Increase Revenue
 - Permissive Mandatory Permissive Mandatory
 - 2. Decrease Costs 4. Decrease Revenue
 - Permissive Mandatory Permissive Mandatory
5. Types of Local Government Units Affected
- Towns Village Cities
 - Counties Others
 - School Districts WTCS Districts

Fund Sources Affected **Affected Ch. 20 Appropriations**

GPR FED PRO PRS SEG SEGS

Agency/Prepared By DOC/ Michael Slana (608) 240-5414	Authorized Signature Anna Neal (608) 228-1331	Date 1/11/2024
--	---	--------------------------

Fiscal Estimate Narratives

DOC 1/11/2024

LRB Number	23-5038/1	Introduction Number	SB-0844	Estimate Type	Original
Description access to prisons and jails for oversight purposes					

Assumptions Used in Arriving at Fiscal Estimate

This bill provides that any legislator who is a member of a standing committee of the legislature with jurisdiction over matters related to the Department of Corrections must be provided immediate access, upon request, to a tour of any state correctional institution that includes the residential areas, prison cells, meal areas, and discussions with inmates.

The bill also provides that any employee of a political subdivision who, in the course of his or her employment, is responsible for the oversight of a county jail, must be provided immediate access, upon request, to a tour of any county jail under his or her oversight or any county jail that has at least one person in custody who is a permanent resident of the geographic region that the employee's position oversees that includes the residential areas, prison cells, meal areas, and discussions with inmates.

For purposes of the bill, "immediate access" means access with less than 24 hours notice. Access may be denied only if it is between the hours of 9 p.m. and 6 a.m. or if the requester has already had 12 access requests fulfilled in that calendar year. A person who is denied immediate access between 9 p.m. and 6 a.m. must be provided access between 6 a.m. and 9 p.m., and a person who is denied immediate access because he or she has already had 12 requests fulfilled in that calendar year must be provided access within 72 hours.

There would be no fiscal impact of this legislation on the Department of Corrections. Currently, the Department voluntarily accommodates visit requests by members of the Legislature and periodically has legislative tours and visits throughout the calendar year.

This bill provides that any employee of a political subdivision who, in the course of their employment, is responsible for the oversight of a county jail, must be provided immediate access, upon request, to a tour of any county jail under their oversight or any county jail that has at least one person in custody who is a permanent resident of the geographic region that the employee's position oversees that includes the residential areas, prison cells, meal areas, and discussions with inmates. For purposes of the bill, "immediate access" means access with less than 24 hours notice. Access may be denied only if it is between the hours of 9 p.m. and 6 a.m. or if the requester has already had 12 access requests fulfilled in that calendar year. A person who is denied immediate access between 9 p.m. and 6 a.m. must be provided access between 6 a.m. and 9 p.m., and a person who is denied immediate access because he or she has already had 12 requests fulfilled in that calendar year must be provided access within 72 hours.

DOC does not anticipate that this bill would have any cost impact on counties, as officials who have oversight over county jails already have access to enter and tour those facilities on short notice.

Long-Range Fiscal Implications