

S.2185 – Fiscal Note Summary from the Senate Committee on Ways and Means

This legislation creates a pre-trial services initiative which will have an estimated one-time cost of \$550,000 and an estimated ongoing annual costs of \$700,000.

This legislation eliminates the \$150 indigent counsel fee for persons under the age of criminal majority. This change could impact appropriately 10,000 individuals, all of whom are currently eligible to have the fee waived if the fee imposes a substantial financial hardship. The fiscal impact of this change would not exceed an estimated \$1,500,000, but is expected to have significantly less impact because of the current waiver ability.

Over the course of 3 years, this legislation gradually eliminates the \$150 indigent counsel fee for persons above the age of criminal majority. The annual cost of this change will not exceed approximately \$2,000,000.

This legislation eliminates the \$50 monthly parole supervision fee and the \$5 monthly parole services surcharge. This is expected to have an annual fiscal impact of \$600,000.

This legislation will require the Department of Corrections to perform regular multidisciplinary placement reviews for inmates in restrictive housing, beginning July 1, 2018, and further requires prisoners in restricted housing to have access to vocational, educational and rehabilitative programming, effective January 1, 2019. The Department of Correction is required to submit a financial plan detailing resources needed to comply with these requirements as well as its efforts to reduce the population in restricted housing to facilitate program improvements.

This legislation removes the prohibition on waivers and reductions of the motor vehicle violation surcharges for operating under the influence and negligent operation. The approximately \$7,000,000 to \$10,000,000 that these fees generate will now be subject to waiver.

The legislation raises the age of juvenile jurisdiction to include 18 year olds, effective January 1, 2019. The cost to the Commonwealth for this change is expected to be between \$8,000,000 and \$13,000,000 when considering increased costs to the Department of Youth Services and the Juvenile Court and savings from other agencies no longer responsible for the care of 18 years old.

Medical release for terminally ill and permanently incapacitated inmates is expected to save between \$1,000,000 and \$2,000,000 annually. A portion of that cost, however, is expected to shift to Medicare and Medicaid, for which the Commonwealth may pay a percentage.

This legislation is expected to impact approximately 400 inmates currently serving a mandatory minimum sentence on a drug offense. Those inmates will, upon the effective date of this bill, become eligible for parole or deductions in sentence. A high percentage of those inmates serving impacted mandatory minimums are serving it in addition to a non-drug offense or a non-mandatory drug offense, which may impact their eligibility for release. The commonwealth can expect to save approximately \$4,000,000 to \$8,000,000 in inmate supervision costs, but where parole replaces incarceration these cost savings will be reduced.