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FISCAL IMPACT REPORT

SPONSOR Beam DATE TYPED 02-04-04 HB 256

SHORT TITLE Drug Treatment as Parole Condition SB _____

ANALYST Reynolds-Forte

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	NFI			NFI	

(Parenthesis () Indicate Expenditure Decreases)

Duplicates SB 311

SOURCES OF INFORMATION

LFC Files

Responses Received From

Corrections Department

Administrative Office of the Courts

Attorney General's Office

SUMMARY

Synopsis of Bill

House Bill 256 proposes to provide the parole board with express authority to refer certain parole violators to alcohol or drug treatment programs as a new condition of parole. If the parole board determines that the parole violator violated a condition of his release by using alcohol or drugs, the board may refer the parole violator to an alcohol or drug treatment program as a new condition of his release.

Significant Issues:

The current law states that if it is determined that the prisoner violated a condition of his parole, the parole board may revoke the parole or "enter any other order as it sees fit." Current law would already allow what the proposed language sets forth.

FISCAL IMPLICATIONS

Senate Bill 311 should have little if any fiscal impact. The practice of referring parole violators to drug treatment programs as a part of a parole plan is already being done.

DUPLICATION

House Bill 256 duplicates House Bill 256.

TECHNICAL ISSUES

The Administrative Office of the Courts points out that page 1, line 22 of the bill deletes the words “any of” so that new language would read the “director may issue a warrant for the arrest of the released prisoner for **violation of conditions of release** versus current language which says the “director may issue a warrant for “**violation of any of the conditions**”. This language change could be read as requiring multiple conditions to be violated before issuing an arrest warrant.

POSSIBLE QUESTIONS

What was the purpose of the technical change that was made on page 1, line 22?

RLG/lg