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FISCAL IMPACT REPORT

ORIGINAL DATE 2-3-06

SPONSOR Campos LAST UPDATED _____ HB _____

SHORT TITLE SAN MIGUEL COUNTY INMATE REIMBURSEMENT SB 701

ANALYST Hadwiger

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	\$298.6	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to several bills that propose state support for county jails around New Mexico.

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Finance and Administration (DFA)

Department of Corrections (DOC)

SUMMARY

Synopsis of Bill

Senate Bill 701 appropriates \$298.6 thousand from the general fund to the Local Government Division (LGD) of the Department of Finance and Administration (DFA) in FY07 to reimburse San Miguel County for the cost of housing prisoners who are being held for transfer to another jurisdiction.

FISCAL IMPLICATIONS

The appropriation of \$298.6 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY07 would revert to the general fund. DOC reports there would be some additional administrative costs from this bill.

SIGNIFICANT ISSUES

DFA noted counties currently are required to apprehend and hold violators of state offenses. These individuals are guilty of violation of state offenses such as parole violations. County officials have tried unsuccessfully in the past to collect these expenses from the State Dept. of Corrections. The amount of the appropriation (\$298,567) is the amount of expenses that San Miguel County had for offenses in FY05.

DOC noted that exactly what is meant by transfer to another jurisdiction is not clear, but could include those individuals being sent to a Corrections Department prison.

ADMINISTRATIVE IMPLICATIONS

DOC indicated there may be a minimal to moderate administrative burden placed on the department because it may have to provide certain information (such as the names of inmates being sent to the Corrections Department) to DFA to help DFA verify the incarceration costs in order to reimburse the county. DOC will make every reasonable effort to absorb this administrative burden without adding new staff, but commented that it is difficult to determine the exact amount of administrative burden placed on the department by this bill. The bill could increase the administrative costs associated with the department working with DFA to help DFA verify and process the county's bills, and these costs might be significant. There is no appropriation in the bill to the Department to help offset or absorb these increased administrative costs.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

There are at least 20 bills in the current session that would provide for reimbursement from various sources to county jails for housing certain categories of prisoners.

ALTERNATIVES

DOC noted that there are many bills attempting to address a similar challenge facing county jails and suggested that, perhaps, a better solution would be to adopt a statewide solution such as those proposed in HB264 and SB419 (which are identical bills) of the current legislative session. Those two bills appropriate \$25 million to DFA to administer and pay for housing certain categories of prisoners in all of the county jails or facilities.

DH/nt