

PCS for HB 641 – Criminal Justice

This bill amends multiple statutes. First, it amends s. 775.082, F.S., diverting from prison specific offenders convicted of possession of a controlled substance. If sentencing points are 60 or fewer, the court must sentence the offender to a nonstate prison sanction unless the court makes written findings that a nonstate prison sanction could present a danger to the public. The fiscal handout assumes that 50% of eligible inmates will be diverted.

See “Proposal to Divert from Prison Drug Possession Offenders” Handout for a subset of the effect.

CONFERENCE ADOPTED ESTIMATE: Bed Impact

Requested by: House

PCS for HB 641

Proposal to Divert from Prison Drug Possession Offenders

October 1, 2017 Effective Date

The Criminal Justice Estimating Conference met on 3/29/2017 and estimated the following net impact on the inmate population over the next five years:

a	b	c	FUNDS REQUIRED				g
Fiscal Year	Projected Cumulative Prison Beds Required	Projected Additional Annual Prison Beds Required	Annual Operating Costs	Annual Fixed Capital Outlay Costs	TOTAL Annual Funds	TOTAL Cumulative Funds	
2017-2018	-155	-155	(\$468,720)	(\$35,718,480)	(\$36,187,200)	(\$36,187,200)	
2018-2019	-570	-415	(\$2,238,438)	(\$15,721,160)	(\$17,959,598)	(\$54,146,798)	
2019-2020	-815	-245	(\$7,565,655)	(\$8,295,336)	(\$15,860,991)	(\$70,007,789)	
2020-2021	-941	-126	(\$8,973,768)	(\$4,048,920)	(\$13,022,688)	(\$83,030,477)	
2021-2022	-1,001	-60	(\$9,827,925)	(\$2,075,070)	(\$11,902,995)	(\$94,933,472)	
Total	-1,001	-1,001	(\$29,074,506)	(\$65,858,966)	(\$94,933,472)	(\$94,933,472)	

Prepared by Florida Legislature, Office of Economic and Demographic Research, January 10, 2017

FY 2015-16 operating costs per inmate were obtained from DOC. The \$53.49 per diem (\$19,524 annual cost) is for all department facilities (excluding private institutions and approximately 150 beds in PRCs) and includes operations, health services, and education services. It does not include debt service costs. It also does not include indirect and administrative costs of \$3.34 per inmate (state facilities). Operating costs in future years were increased by the change in the CPI from the National Economic Estimating Conference.

FY 2006-07 capital costs per bed were based on Department of Corrections cost to build Suwanee CI (\$94,000,000 for 2,003 lawful capacity beds) as reported at the Criminal Justice Impact Conference held February 23, 2010. Capital costs in later years were increased by the change in the chained price index for state and local construction spending obtained from Global Insight, Inc.

Note: This impact statement is not intended to represent the direct appropriations impact of this bill. Rather, it provides a stand-alone estimate of the prison bed need of this particular bill. Cost data are included to allow a comparison of the impact of this bill with other proposed legislation. The actual appropriation associated with passage of this bill will differ depending on a number of factors including the existing inventory of prison beds.