

REVENUE ESTIMATING CONFERENCE

TAX: Other Taxes and Fees

ISSUE: Inmate Subsistence Fee at DOC-Operated Work Release Centers

BILL NUMBER(S): Governor’s Proposal

SPONSOR(S):

MONTH/YEAR COLLECTION IMPACT BEGINS: 7/1/2009

DATE OF ANALYSIS: 3/5/2009

SECTION 1: NARRATIVE

a. Current Law:

The Department of Corrections is currently authorized in s. 945.091, Florida Statutes, to adopt regulations as to the disbursement of any earnings of inmates. The department has done so in Chapter 33-601.602 (10) (d), Florida Administrative Code. This rule currently specifies that for inmates assigned to DOC-operated work release centers, the inmate is required to pay 45% of the inmate’s net earnings as a charge for subsistence. Changes to department rules typically take 45 to 60 days to implement. (Inmates at contract work release centers are required to pay 55% of their net earnings.)

b. Proposed Change:

Increases the amount an inmate at a DOC-operated work release center is required to pay for subsistence by 5% from 45% to 50%.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

45% collection for subsistence for FY 2006-07: 8,531,267

45% collection for subsistence for FY 2007-08: 7,854,901

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

1. Inmate net earnings are expected to continue to decrease at the 8% annual rate experienced in FY07/08 through FY09/10 and expected to be stagnant thereafter.
2. The \$872,767 increased charge generated in FY07/08 based on a 5% increase in the subsistence payment rate is reduced to \$746,000 in FY09/10 and thereafter.
3. The high estimate assumes no further decrease in inmate net earnings subject to the subsistence charge.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2009-10 Annualized	FY 2009-10 Cash	FY 2010-11 Cash	FY 2011-12 Cash	FY 2012-13 Cash
High	\$872,767	\$872,767	\$872,767	\$872,767	\$872,767
Middle					
Low	\$746,000	\$746,000	\$746,000	\$746,000	\$746,000

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/14/09) The conference adopted the low estimate.

	FY 2009-10 Annualized	FY 2009-10 Cash	FY 2010-11 Cash	FY 2011-12 Cash	FY 2012-13 Cash
General Revenue	.7	.7	.7	.7	.7
State Trust	0	0	0	0	0
Total State Impact	.7	.7	.7	.7	.7
Total Local Impact	0	0	0	0	0
Total Impact	.7	.7	.7	.7	.7