Re: SB 327
From: Kelsen Young
MCADSV

SENATE JUDICIARY
EXHIBIT NO. 9
DATE 2/13/09
BILL NO. SB327

FISCAL NOTE

Bill #: HB0585 **Title:** Pregnant women and unborn children protection act

Primary Sponsor: Parker, J **Status:** As Introduced

Sponsor signature Date David Ewer, Budget Director Date

Fiscal Summary

	FY 2006 Difference	FY 2007 Difference
Expenditures:		
General Fund	$348,065	$1,117,995
Revenue:		
General Fund	$0	$0
Net Impact on General Fund Balance:	($348,065)	($1,117,995)

- ☐ Significant Local Gov. Impact
- ☐ Included in the Executive Budget
- ☐ Dedicated Revenue Form Attached
- ☐ Technical Concerns
- ☐ Significant Long-Term Impacts
- ☒ Needs to be included in HB 2

Fiscal Analysis

ASSUMPTIONS:

Department of Corrections

1. This bill provides for a sentence enhancement of up to 20 years in addition to penalties instated for the commitment of any forcible felony against a pregnant woman.
2. In FY 2004 there were 1,000 admissions into the Department of Corrections (DOC) prison system. Of those offenders, 59 percent committed violent offenses, equaling 590 offenders.
3. According to a national statistic from the US General Accounting Office and Centers for Disease Control, an average of 6.1 percent of violent crimes are committed against pregnant women. Therefore, 6.1 percent of the 590 violent offenders entering the DOC prison system totals 36 offenders convicted of violent crimes against pregnant women each year.
4. According to 2004 DOC statistics, the average time served out of the additional 20-year sentence would be 76.1 months (6.34 years). The blended cost rate for male and female offenders in DOC facilities is $60.84.
5. Using the above information the fiscal impact resulting from a sentence enhancement for FY 2006 would be $331,456 and for FY 2007 $1,097,675.
6. This bill also creates the new crime of Assault on a Pregnant Woman. Conviction of this crime would result in a sentence of up to 5 years in a DOC facility.

7. There is an average of 13 assault offenders entering the DOC prison system each year, so 6.1 percent of these offenders equal approximately one offender per year. The resulting impact of this new crime, using the blended rate of $60.84, would be $16,609 in FY 2006 and $20,320 in FY 2007.

FISCAL IMPACT:
Department of Corrections

	FY 2006 Difference	FY 2007 Difference
Expenditures:		
Operating Expenses	$348,065	$1,117,995
Funding of Expenditures:		
General Fund (01)	$348,065	$1,117,995
Revenues:		
General Fund (01)	$0	$0
Net Impact to Fund Balance (Revenue minus Funding of Expenditures):		
General Fund (01)	($348,065)	($1,117,995)