LEGISLATIVE INCARCERATION FISCAL IMPACT STATEMENT

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY 2014

SENATE BILL NO. 81

AN ACT TO PROHIBIT THE POSSESSION OF CERTAIN ITEMS IN JAILS, TO PROVIDE A PENALTY THEREFOR, AND TO REVISE THE PENALTY FOR THE PROCUREMENT OF CERTAIN ITEMS INTO A JAIL.

A legislative incarceration fiscal impact statement has been requested on SB81 due to the establishment of a new penalty in Section 1 and to revise an existing penalty in Section 2.

The felonies in Section 2 are preexisting, and since the revisions in the Act do not expand the scope of prohibition, there can be no possible negative impact on jail populations.

The misdemeanor penalty in Section 1 of this Act is a new mens rea crime, and, if prosecuted, could well result in a jail sentence. However, because of the controlled environment in which the crime can only be committed, it is likely that institutional disciplinary actions will be exhausted prior to utilizing prosecution. Hence, its impact on jail populations is statistically irrelevant.

Approved:/S/Fred Schoenfeld Date:1/29/14

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