
MEMORANDUM

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To: Public Safety Subcommittee

From: Linda Gilbert, Legislative Fiscal Office
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Date: February 26, 2014

Subject: House Bill 4098-A
Work Session Recommendations

House Bill 4098-A comes to you from the House Judiciary Committee. It makes several changes to the methods of determining the amount of presentence incarceration credit for persons convicted of certain crimes. Also, sentencing judges would be allowed to count time served when an offender has a probationary sentence revoked or has violated terms of conditional discharge or has failed in a diversion program. The measure also removes marijuana and marijuana products from the commercial drug offense list.

The measure broadens how victims can be notified of relevant events and protects victims' and witnesses' e-mail addresses and cell phone numbers.

The projected impact to the Department of Corrections General Fund budget from use of earned time and removing marijuana from commercial drug offense list is a savings (cost avoidance) of \$1,261,771.

The Legislative Fiscal office recommends applying the savings to remaining Department of Corrections budget shortfall and that the Department report actual bed day reductions related to this measure at a meeting of the Emergency Board or during the 2015 Legislative Session.

Motion: Move House Bill 4098-A to the full committee with a “do pass” recommendation.