

Updated for the 2010 Session. Includes any amendments adopted to-date.

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

| ESTIMATE OF FISCAL IMPACT – STATE AGENCIES * | | | | |
|---|---------------------|----------------|---------------------|----------------|
| | FY 2010-11 | | FY 2011-12 | |
| | EXPENDITURES | REVENUE | EXPENDITURES | REVENUE |
| GENERAL FUNDS | | | | |
| CASH FUNDS | | | | |
| FEDERAL FUNDS | | | | |
| OTHER FUNDS | | | | |
| TOTAL FUNDS | | | | |

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

This bill would change sentencing requirements with respect to certain minors as follows:

- Any person convicted of a Class I or Class IA felony, who, at the time of the commission of the crime,
 - was at least 16 years of age but under 18 years of age, shall be sentenced to fifty years to life imprisonment
 - was under 16 years of age, shall be sentenced to forty years to life imprisonment.
- The minimum sentence of any person convicted of a Class IB felony, who, at the time of the commission of the crime, was under 18 years of age, shall not exceed forty years imprisonment.

In 2009, the Department of Correctional Services (DCS) stated the following regarding this bill:

- DCS has information on an individual's age at the time of admission to DCS
 - This fiscal notes assumes this is the same as when the person committed the crime
- Currently, 5 individuals who were under 18 at admission are incarcerated for Class 1A felonies (life without parole)
- Currently, 14 individuals who were under 18 at admission are incarcerated for Class 1B felonies
 - 6 have maximum sentences of 40 years or less
 - 3 have life sentences
 - 5 have sentences ranging from 50-60 years
 - Only 2 individuals in this group have minimum sentences more than 40 years
- The FY08 per diem cost for medical, feeding, clothing, housing, etc., an inmate was \$5,509.

DCS notes that this bill may result in shorter maximum terms and possibly shorter minimum terms for persons who fall under the provisions of this bill, but the fiscal impact is indeterminable.