

**LEGISLATIVE INCARCERATION FISCAL IMPACT STATEMENT**  
EIGHTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY 2014

**HOUSE BILL NO. 1084**

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**AN ACT TO REVISE CERTAIN PROVISIONS REGARDING THE LIST OF PERSONS  
WHO MAY BE EXCLUDED FROM A LICENSED GAMING ESTABLISHMENT AND TO  
PROVIDE A PENALTY FOR A VIOLATION OF THE EXCLUSION.**

A legislative incarceration fiscal impact statement has been requested on HB1084 due to the establishment of a new Class 1 misdemeanor penalty for any person, who has been placed on the list of excluded persons by the commission, after July 1, 2014, and who enters a licensed gaming establishment after receiving notice.

The practice of adding people to the excluded persons list is not one that is often used by the commission simply because there is no current penalty for violation of the law. As a result, there are only five people on the current list of excluded persons. Those five people cannot be included in our estimate because they were added to the list prior to July 1, 2014. However, it does give some perspective on current practice. Certainly, we would expect the commission to begin adding people to the excluded persons list more frequently than before upon passage of this bill and a penalty being added for a violation. There appears to be no scientific basis to determine the number of people the commission may add to the list of excluded persons in the future and more likely than not prosecutions under this Act would be very rare.

**Class 1 Misdemeanor statistics:**

The average number of people sentenced to jail after being convicted of a Class 1 misdemeanor is 41%.

The average jail time ordered for a Class 1 misdemeanor is 24 days.

The average jail cost per day is \$72.30.

The total annual cost for one violator is \$1,735.

The total cost for an average of one violator per year over a 10 year period is \$17,352. (Calculation is based on today's dollars and is not adjusted for inflation)

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**Approved: /S/ Fred Schoenfeld**

**Date: 1/29/14**

**Interim Director, Legislative Research Council**

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