

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT
NINETIETH SESSION
LEGISLATIVE ASSEMBLY 2015

HOUSE BILL NO. 1141

AN ACT TO REVISE AND INCREASE THE PENALTY FOR MULTIPLE SIMPLE
ASSAULTS OVER A TEN-YEAR PERIOD.

A prison/jail population cost estimate statement has been requested on HB1141 due to an increase in penalties in section 1.

HB 1141 increases the penalty for repeated offenses of simple assault, aggravated assault, and bodily fluid assault when in custody, if the subsequent offenses occur within a ten year time span. Depending on the new offense or whether it is a third, fourth, or fifth offense the penalty will increase from the current Class 6 felony to a Class 5 or 4 felony.

The Department of Corrections indicates that currently there are 33 inmates in prison for a felony under § 22-18-1 that would be subject to the enhanced penalty under this bill. Of the 33 inmates in prison for felony assault, 11 inmates had 4 convictions for assault within a 10-year time period and 6 inmates had 5 or more convictions for assault within a 10-year time period.

The increase in the penalty from a Class 6 felony to a Class 5 felony for the 11 inmates would result in each inmate serving 105 additional days at \$38.84 per day for an estimated annual cost of \$44,860 per year.

The increase in the penalty from a Class 6 to a Class 4 felony for the 6 inmates would result in each inmate serving 218 additional days at \$54.81 per day for an estimated annual cost of \$71,691.

Total estimated annual costs would be \$116,551 and costs over a ten year period would be \$1,165,510.

Approved: /s/ Jason Hancock Date: 2/17/15
Director, Legislative Research Council