

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT
NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY 2019

SENATE BILL NO. 79

AN ACT TO INCREASE THE PENALTY FOR THEFT OF A FIREARM.

A prison/jail population cost estimate statement is required for SB79, because the bill changes the penalty for any person who has been convicted of grand theft if the property stolen is a firearm regardless of the firearm's value, to a Class 4 felony. Currently, grand theft of a firearm worth \$2,500 or less carries Class 6 felony penalty. If the value of the property (regardless of type) is more than \$2,500 but less than or equal to \$5,000, the penalty is a Class 5 felony. If the value of the property (regardless of type) is more than \$5,000 but less than or equal to \$100,000, the penalty is a Class 4 felony, and for grand theft of property (of any type) valued at greater than \$100,000 is a Class 3 felony. Prior to the criminal code revision in 2005-2006, all thefts of firearms were grand theft, and all types of grand theft carried a Class 4 felony penalty.

Based on information provided by the Department of Corrections (DOC), in FY 18, 10 inmates were sentenced to the penitentiary and 2 inmates were sentenced to jail for convictions for Class 6 felony stolen firearm violations. The average time served for a class 6 felony non-violent conviction is 181 days.

Convictions for nonviolent Class 4 felonies served 428 days on average. As a result, this legislation will increase time served by 247 days. The cost of housing an inmate in a minimum-security facility is \$41.07 per day or \$101,443 total prison impact in a typical year, and \$1,014,430 over ten years.

The LRC used information provided in the 2017 Sheriff Management Study to calculate the average cost of housing an inmate in a jail facility at an estimated \$91.70 per day, adjusted for inflation at a rate of 2.2%, according to the Bureau of Labor and Statistics, or \$45,300 total jail impact in a typical year, and \$453,000 over ten years.

The estimated combined fiscal prison and jail impact of SB 79 would be \$146,743 in a typical year, and \$1,467,430 over ten years.

Approved: /S/ Jason Hancock
Director, Legislative Research Council

Date: February 21, 2019

2019-526A