

HF4043 - 0 - Incarcerated Persons in District Plans

Chief Author: **Esther Agbaje**
 Committee: **Elections Finance & Policy**
 Date Completed: **3/5/2024 6:44:25 PM**
 Lead Agency: **Legislature**
 Other Agencies:
 Corrections Dept

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
State Total						
	Total	-	-	-	-	-
	Biennial Total			-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2023	FY2024	FY2025	FY2026	FY2027
	Total	-	-	-	-	-

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Chloe Burns **Date:** 3/5/2024 6:44:25 PM
Phone: 651-297-1423 **Email:** chloe.burns@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

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Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Chloe Burns **Date:** 3/5/2024 6:42:49 PM
Phone: 651-297-1423 **Email:** chloe.burns@lbo.mn.gov

State Cost (Savings) Calculation Details

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State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027	
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

The bill establishes some additional requirements related to redistricting and incarcerated persons. The bill requires the commissioner of corrections to provide the director of the Legislative Coordinated Commission (LCC) by December 31 in a year ending in zero beginning in 2030, information and data as stated in the bill about each individual incarcerated in a state correctional facility on April 1 in the year of decennial census. The LCC shall not disseminate the data except as required by state and federal law.

By April 15 in a year ending in zero, the director of the LCC must request from each agency that operates a federal facility in the state that incarnates persons convicted of a criminal offense to provide a report of data and information as stated in the bill regarding individual incarcerated in that facility on April 1 of that year. Information must be provided by Dec 31 of the year ending in zero.

The director of the LCC must reallocate and exclude people that are incarcerated. Within 14 calendar days of receiving the US Census Bureau data (PL-94-171), the LCC director must post the population counts that reflects all required reallocations and exclusions on the LCC’s website. The provisions of the bill are effective January 1, 2030, and applies to populations counts used for redistricting conducted on or after that date.

Assumptions

1. For this fiscal note we assume existing LCC Geographic Information Service (GIS) staff will be utilized to perform the required duties and costs may be absorbed, although that will depend on the priorities of the legislature and staff time required for competing projects.
2. During FY30, LCC Information Systems Manager will provide .02 FTE of time (approximately 40 hours) to communicate with correctional facility staff and work on data standardization methodology.
3. During FY31, LCC GIS staff will provide a composite of .08 FTE of staff time (approximately 160 hours) to collect data and to create and apply methodology to distribute inmates to census blocks.
4. For this fiscal note, we assume census data PL 94-171 will be released between January and March 2031. During FY31, LCC GIS staff will provide a composite of .025 FTE of time (approximately 50 hours) to distribute incarcerated persons data to PL 94-171 data set and post to the LCC’s website.

Expenditure and/or Revenue Formula

<u>Total Cost</u>		
Cost Category	FY30	FY31

LCC IS Manager (.02 FTE FY30, .0525 FTE FY31)	3,138	8,237
LCC Sr Tech Services Specialist (.0525 FTE FY31)	0	6,359
Total Staff Cost (rounded)	3,000	15,000
Total Staff Cost Absorbed (rounded)	(3,000)	(15,000)
Net Staff Cost (rounded)	0	0

Long-Term Fiscal Considerations

The associated cost incurred by the LCC is projected for FY30 and FY31 and each decade thereafter.

Local Fiscal Impact

N/A

References/Sources

Chris Cantey, Legislative Coordinating Commission

Michelle Yurich, Legislative Coordinating Commission

Agency Contact: Diane Henry-Wangenstein

Agency Fiscal Note Coordinator Signature: Diane Henry

Phone: 651-296-1121

Date: 3/5/2024 5:38:53 PM

Email: diane.henry@lcc.mn.gov

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Chief Author: **Esther Agbaje**
 Committee: **Elections Finance & Policy**
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 Agency: **Corrections Dept**

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Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Karen McKey **Date:** 3/5/2024 9:41:20 AM
Phone: 651-284-6429 **Email:** karen.mckey@lbo.mn.gov

State Cost (Savings) Calculation Details

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Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027	
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Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

S.F. 3878 requires the Department of Corrections to collect and share the last known residential address of incarcerated persons for the purposes of decennial census redistricting.

Section 1 requires the Department of Corrections to collect the following information for every person in a state correctional facility on April 1 on or before December 31 in a year ending in zero:

- A unique identifier that does not include the individual's name, Department of Corrections identification number, or other identifying information
- Street address of the correctional facility where the individual was incarcerated at the time of the report
- The last know residential address of the individual prior to incarceration
- The individual's race, ethnicity, and whether the individual is over the age of 18
- Any additional information the director of the Legislative Coordinating Commission deems necessary.

The commissioner of corrections must provide the information collected to the director of the Legislative Coordinating Commission, effective January 1, 2030.

Section 2 requires the Department of Corrections to ensure a person's last residential address before incarceration is collected and recorded as a part of the intake process. On or before September 30 in the year of the decennial census, the department must identify incarcerated individuals who have not provided a last known address and collect and record the information.

Assumptions

The Department of Corrections assumes:

Last residential address has not been a requirement of the prison intake process. Currently, the DOC is provided the residential addresses for about 65% of the state's incarcerated population by court records upon intake.

Under the language of the bill, when court records provide the DOC with a previous residential address, the DOC will confirm that address with the incarcerated person upon intake. If no address is provided, DOC intake staff will ask the individual to self-report their last residential address and record the information. Upon intake, the DOC will record demographic information required in the bill. The DOC must make conforming changes to data collection programs to effectively collect the information.

For those already incarcerated upon passage of the bill, case managers will collect said information during their annual review process and record the information. The DOC must make conforming changes to data collection programs to effectively collect the information.

The DOC is not required to confirm the accuracy of the addresses collected. Self-reported information from the incarcerated person is sufficient for the purpose of the bill.

The DOC is in the process of overhauling its data collection and management system. As part of the new system installment, the department will ensure it has the data infrastructure necessary to record and share the collected information electronically with the director of the Legislative Coordinating Commission. The system will be in place in time to meet the deadlines laid forth in the bill.

Expenditure and/or Revenue Formula

N/A

Long-Term Fiscal Considerations

N/A

Local Fiscal Impact

N/A

References/Sources

Department of Corrections Staff

Agency Contact: Kelly Haff

Agency Fiscal Note Coordinator Signature: Kwesi Pasley

Phone: 651-259-3667

Date: 3/4/2024 7:02:33 PM

Email: kwesi.pasley@state.mn.us