

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

**BILL NUMBER:** SB 982

**SHORT TITLE:** Modify the Prison Population Cap

**SPONSOR(S):** Senator Sands

**FISCAL IMPACT:** Expenditures: Increase ( ) Decrease ( )  
Revenues: Increase ( ) Decrease ( )  
No Impact (x)  
No Estimate Available ( )

**FUNDS AFFECTED:** General Fund ( ) Highway Fund ( ) Local Fund ( )  
Other Fund ( )

**BILL SUMMARY:** Amends G.S. 148-4.1(d), (e), and (f) to raise the current prison population cap of 20,900 to 21,200 effective June 1, 1993; to 21,400 effective December 1, 1993; and to 21,500 effective April 1, 1994.

**EFFECTIVE DATE:** Upon ratification

**PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED:** Department of Correction

**FISCAL IMPACT**

	<u>FY</u> 93-94	<u>FY</u> 94-95	<u>FY</u> 95-96	<u>FY</u> 96-97	<u>FY</u> 97-98
<b>EXPENDITURES</b>					
RECURRING	0	0	0	0	0
NON-RECURRING	0	0	0	0	0
<b>REVENUES/RECEIPTS</b>					
RECURRING	0	0	0	0	0
NON-RECURRING	0	0	0	0	0

**POSITIONS:** 0

**ASSUMPTIONS AND METHODOLOGY:**

The facilities being constructed with bond funds previously appropriated by the General Assembly will increase overall prison system capacity to 20,324 beds at 50 sq. ft. per bed. The number of beds is increased to 20,962 if the following beds are all occupied. (These beds are specialty beds which are not normally used for everyday population.)

1. Acute medical care beds at McCain, Central Prison, and the Mental Health facility at Central Prison;
2. Infirmaries at major prison institutions;
3. Mental Health and acute care beds at NC Correctional Institution for Women;

4. Segregation cells.

This 20,962 figure does not allow closure of the 506 beds in modular units which have reached the end of their physical lifespan.

At the present time, the Department of Correction is still planning to meet the 50 sq. ft. requirement for the 49 field units under the Small v. Martin lawsuit by July 1, 1994. According to departmental officials, almost all of the new construction due to be completed between now and July 1, 1994 will be needed to comply with the loss of bed space due to construction of dayrooms in existing dormitories and to spread prison population from the 49 field units. If projected construction completion dates are not met through June 1994, the Department will need to place more inmates at prison facilities not included in the lawsuit and to provide less than 50 sq. ft. per bed at those facilities.

**SOURCES OF DATA:** Department of Correction

**TECHNICAL CONSIDERATIONS:**

**FISCAL RESEARCH DIVISION**

733-4910

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**DATE:** May 27, 1993



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