

I Mina'trentai Siette Na Lihelaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
293-37 (COR)	Telo T. Taitague Joanne M. Brown Chris Barnett Frank Blas, Jr. Joe S. San Agustin Christopher M. Dueñas Jesse A. Lujan	AN ACT TO ADD A NEW SECTION 58.61 TO CHAPTER 58 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE USE OF ALCOHOL AND CONTROLLED SUBSTANCES WITHIN DETENTION AND CORRECTIONAL FACILITIES.	5/1/24 10:56 a.m.	5/6/24	Committee on Education, Public Safety and the Arts	Request: 5/6/24 5/10/24			



COMMITTEE ON RULES

Senator Chris Barnett, Chairperson
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature

May 10, 2024

To: **Joaquin P. Taitague**
Clerk of the Legislature

From: **Senator Chris Barnett** 
Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 293-37 (COR)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 293-37 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly forward the same to Management Information Services (MIS) for posting on our website.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 293-37 (COR)**

AN ACT TO ADD A NEW 58.61 TO CHAPTER 58 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE USE OF ALCOHOL AND CONTROLLED SUBSTANCES WITHIN THE DETENTION AND CORRECTIONAL FACILITIES.

Department/Agency Appropriation Information

Dept./Agency Affected: Corrections	Dept./Agency Head: Fred E. Bordallo, Director
Department's General Fund (GF) appropriation(s) to date: FY2024 General Fund (\$32,860,546); Audited Excess General Fund Revenue for FY2022 (\$5,450,000)	\$38,310,546
Department's Other Fund appropriation(s) to date: DOC Inmate Revolving Fund (\$1,502,625); Safe Streets Fund (\$25,062)	\$1,527,687
Total Department/Agency Appropriation(s) to date:	\$39,838,233

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2023 Unreserved Fund Balance		\$0	\$0
FY 2024 Adopted Revenues	\$0	\$0	\$0
FY 2024 Appro. (P.L. 37-42)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2024 (if applicable)	FY 2025	FY 2026	FY 2027	FY 2028
General Fund	\$0	1/	1/	1/	1/	1/
Special Fund	\$0	1/	1/	1/	1/	1/
Total	\$0	1/	1/	1/	1/	1/

1. Does the bill contain "revenue generating" provisions? / / Yes /X/ No
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ /X/ N/A
3. Does the Bill establish a new program/agency? / / Yes /X/ No
If yes, will the program duplicate existing programs/agencies? / / Yes /X/ No
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
4. Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
5. Was Fiscal Note coordinated with the affected dept./agency? If no, indicate reason: / / Yes /X/ No
/ / Requested agency comments not received by due date / / Other:

Analyst: <u>William P. Taitingfong</u> Date: <u>5/9/24</u>	Director: <u>Lester L. Carlson, Jr.</u> Date: <u>MAY 10 2024</u>
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Notes:
1/ See attached comments.

Bureau of Budget & Management Research
Comments on Bill No. 293-37 (COR)

Bill No. 293-37 (COR) is an act to add a new section 58.61 to Chapter 58 of Title 9 of the Guam Code Annotated relative to the use of alcohol and controlled substances within detention and correctional facilities.

The proposed legislation would make it unlawful for a detainee or prisoner to use or be under the influence of alcohol and a controlled substance within a detention or correctional facility operated by the Guam Police Department or the Department of Corrections. A detainee or prisoner who violates the law shall be guilty of a misdemeanor, and upon conviction shall be punished by a sentence of imprisonment for a period of no less than 30 days, or by a fine of no less than \$500.00, or by both such minimum sentence of imprisonment and fine. Such sentence shall be in addition to the sentence for which a prisoner is incarcerated.

Although the Bill appears to be administrative in nature, the Bureau is of the opinion that there will be a potential impact to the Department of Corrections should a detainee or prisoner be found guilty and the length of their current sentence for which they are incarcerated is then extended by an additional 30 days. These are incarceration specific costs, such as cost of meals, healthcare, clothing, rehabilitative services and other associated costs and services for imprisonment. As these costs are dependent on the number of detainees or prisoners to be found guilty of such violation, the Bill's approximate fiscal impact to the Department of Corrections cannot be determined at this time.