

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** SB456

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Marsden

3. **Committee:** Rehabilitation and Social Services

4. **Title:** Office of the Department of Corrections Ombudsman; created

5. **Summary:** Creates, within the Office of the State Inspector General, the Office of the Department of Corrections Ombudsman (the Office) headed by an Ombudsman who is selected by a Corrections Oversight Committee (the Committee), also created by the bill. The bill provides that the Committee is made up of four members of the General Assembly and 11 nonlegislative citizen members who monitor the activities of the Ombudsman and the Department of Corrections (the Department). The bill provides the Office's authority to conduct inspections at least once every three years and more often when warranted and requires the Office to establish confidential telephone hotlines and online forms for concerns, complaints, and inquiries by inmates, their family members and advocates, and Department employees and contractors. In addition, the bill requires the Committee to conduct quarterly public hearings and submit an annual report to the Governor, the Attorney General, the Senate Committee on the Judiciary, the House Committee on Public Safety, and the Director of the Department.

6. **Budget Amendment Necessary:** See Item 8.

7. **Fiscal Impact Estimates:** Preliminary; see Item 8.

8. **Fiscal Implications:** This bill creates within the Office of the State Inspector General (OSIG), an Office of the Department of Corrections Ombudsman (the Office), and a Corrections Oversight Committee.

An Office of the Department of Corrections Ombudsman was created within the Office of the State Inspector General in Chapter 1, 2023 Acts of Assembly, Special Session I. This bill would expand upon the requirements and authority of this office. OSIG received \$250,000 and two positions to establish the office that remain in the agency's budget in HB/SB30 introduced and can be used to meet a portion of the requirements of the bill. A Corrections Oversight Committee was also established in Chapter 1 and its authority and composition is modified by this bill.

The Department of Corrections (DOC) also has an Ombudsman Services Unit that coordinates and monitors offender grievance procedures. Preliminarily, it is believed that if the bill intends for the Office to assume the duties performed by DOC, at least a portion of

the current Ombudsman Services Unit positions and existing positions at DOC may be able to be transferred to the OSIG Office of the Department of Corrections Ombudsman to meet the requirements of this bill. Other associated costs may also be able to be covered by existing funding at DOC depending on the extent to which the new Ombudsman Office responsibilities are duplicated within the Ombudsman Services Unit and may no longer be needed and any additional costs that may be incurred by DOC to meet the bill's requirements. More information in this regard is not yet available.

If the bill's intent is to establish the Office in addition to the duties that DOC is already performing and for no positions or funding to be transferred from DOC, the staff and associated costs in excess of the \$250,000 and two positions in OSIG's budget in HB/SB 30 would have to be funded. Preliminary estimates for staffing the new Office under OSIG as outlined in the bill with an Ombudsman director, at a cost of \$164,450, up to 11 assistant ombudsmen positions, at a cost of \$128,700 each, and two technical support staff members, at a cost of \$128,700 each, would cost approximately \$1.6 million general fund annually after accounting for the \$250,000 in HB/SB 30. In addition, OSIG preliminarily estimates additional funding for leasing office space, purchasing office equipment, IT costs, and contracting for other services including subject matter experts at a cost of \$281,809 annually in addition to \$23,660 for initial one-time costs. Estimates for DOC costs are not yet available. It is also unknown if a new system will be needed for the statewide uniform reporting system required by the bill.

Language in paragraph G. of Item 68 of HB/SB30 should be adjusted to conform with the bill and reflect adjustments to funding for this purpose.

9. Specific Agency or Political Subdivisions Affected: Office of the State Inspector General and the Department of Corrections

10. Technical Amendment Necessary: No

11. Other Comments: This bill is similar to House Bill 555.

1/17/2024