

# OFFICE OF FISCAL ANALYSIS

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sHB-6594

AN ACT CONCERNING THE CRIMINAL JUSTICE PROCESS.

As Amended by House "A" (LCO 8789)

House Calendar No.: 407

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## **OFA Fiscal Note**

### **State Impact:**

| Agency Affected                                  | Fund-Effect    | FY 22 \$  | FY 23 \$  |
|--|----------------|-----------|-----------|
| Correction, Dept.; Judicial Dept.<br>(Probation) | GF - See Below | See Below | See Below |
| Resources of the General Fund                    | GF - See Below | See Below | See Below |

Note: GF=General Fund

**Municipal Impact:** None

### **Explanation**

The bill makes various changes to criminal justice related statutes and results in the impact state below.

Sections 10-12, 17, and 22 increases the penalties for various violations including vendor fraud, unlawful dissemination of an intimate image, electronic stalking, and failure to keep narcotics in the original container and results in potential revenue from fines and potential cost for incarceration and probation. On average, the marginal cost to the state for incarcerating an offender for the year is \$2,200<sup>1</sup> while the average marginal cost for supervision in the community is less than \$700<sup>2</sup> each year.

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<sup>1</sup> Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

<sup>2</sup> Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense

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Sections 23, 25-27 reduce the penalties including for failure to pay or respond to infractions and reduces the scope of laws for illegal drug actives in drug free zones and results in potential revenue loss from fines and potential savings from reduced incarceration or probation.

Sections 1-10, 13-16, 21, 24, and 28 make various changes that do not result in a fiscal impact.

House "A" strikes sections of the bill that transferred certain responsibilities from the Division of Criminal Justice to the Office of the Attorney General (OAG) and removes the cost to the OAG.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and the number of violations.

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is anticipated to result in enough additional offenders to require additional probation officers.