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H.B. 397
136th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 397's Bill Analysis](#)

Version: As Passed by the House

Primary Sponsors: Reps. Deeter and Johnson

Local Impact Statement Procedure Required: No

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The bill has no direct fiscal effect on the state or political subdivisions. It expands the allowable uses of profits from jail commissary funds. The additional uses include (1) recreation, (2) programming services, (3) medication in relation to treatment and programming, (4) investigating allegations of staff misconduct, illegal conveyance of contraband, or sexual abuse within the facility, (5) purchasing technology or tools necessary for general safety, and (6) paying for advanced staff training of jail personnel. As a result, sheriffs' offices will have more flexibility in making decisions on how to fund expenditures, which may make their operations more efficient. If existing rules regulating the operation of the commissary fund need to be updated, any related administrative costs would be one-time and negligible.

Continuing law, unchanged by the bill, allows a sheriff to establish a commissary for county jails. If a commissary is established, the sheriff also must establish a commissary fund, which is strictly controlled in accordance with procedures adopted by the Auditor of State. The sheriff currently may use profits from a jail commissary fund only for certain expenditures, such as purchasing supplies and equipment and to provide life skills training and education or treatment services for the benefit of jail inmates. Commissary profits may also be used to pay commissary employees, to purchase technology to prevent contraband, and to pay for construction or renovation of a jail facility to provide medical or mental health services.