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Fiscal Note & Local Impact Statement

Bill:	S.B. 263 of the 131st G.A.	Date:	May 11, 2016
Status:	As Introduced	Sponsor:	Sen. Hughes

Local Impact Statement Procedure Required: No

Contents: Cancellation of negotiated plea-bargain agreement

State Fiscal Highlights

• No direct fiscal effect on the state.

Local Fiscal Highlights

• The bill could create some savings effect for county and municipal criminal justice systems, as it likely permits those systems to close plea-bargained cases faster, as well as any other related cases involving other offenders.

Detailed Fiscal Analysis

The bill authorizes a court, upon request of the prosecution, to cancel a negotiated plea in a felony or first degree misdemeanor case if the offender does not provide information, cooperate with law enforcement, or perform another function or activity when required as a condition of the underlying agreement.

Current practice generally is for the court, in order to retain jurisdiction over a case, to delay sentencing until a plea agreement's terms have been met. Thus, it is not common for the court to impose a sentence prior to the offender fulfilling their pleabargained obligations. As a result of the bill, the court will be able to sentence an offender and still retain their jurisdiction over the case for the purpose of enforcing the terms of the offender's plea-bargained obligations. This could create some savings effect for county and municipal criminal justice systems, as it likely permits those systems to close plea-bargained cases faster, as well as any other cases that hinge on the information that the offender is expected to provide as part of that plea bargain.

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