

2023 -- H 5388

LC001041

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO GENERAL ASSEMBLY -- FISCAL NOTES

Introduced By: Representatives Felix, Batista, Knight, Craven, Potter, Cruz, Casey,
Henries, Alzate, and Morales

Date Introduced: February 03, 2023

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 22-12 of the General Laws entitled "Fiscal Notes" is hereby amended
2 by adding thereto the following section:

3 **22-12-6. Fiscal notes enhancing public safety and sensible fiscal policy; enactment of**
4 **the SPEND Act.**

5 (a) This act shall be known as the "sensible public safety enhancement and neutral fiscal
6 dispersement act", also known as (the "SPEND Act").

7 (b) Legislative intent. In promulgating this act the general assembly intends that the fiscal
8 notes prepared in connection with the applicable legislation contain the best and most reliable
9 information available so that it might make informed decisions regarding whether the legislation
10 under consideration enhances public safety and contains sensible fiscal policy.

11 (c) Before any measure is approved by a committee of the general assembly, the effect of
12 which is to create a new crime, increase the period of incarceration allowed or required for an
13 existing crime, or otherwise modify sentencing or state correctional policies, the state budget office,
14 consistent with the procedures set forth in this chapter, shall prepare a fiscal note describing the
15 fiscal impact that the measure, if enacted, would have on the state as well as on local cities and
16 towns, and if the measure would enhance public safety.

17 (d) In particular and to the extent practicable, the state budget office shall determine and
18 describe in the statement the following:

19 (1) The fiscal impact on state and local law enforcement agencies, including an estimate of

1 the increase in the anticipated number of arrests annually;

2 (2) The fiscal impact on state and local courts, including an estimate of the increase in the
3 anticipated number of cases annually;

4 (3) The fiscal impact on the office of attorney general, including an estimate of the increase
5 in the anticipated number of prosecutions annually;

6 (4) The fiscal impact on public defense resources, including an estimate of the increase in
7 the anticipated number of cases annually; and

8 (5) The fiscal impact on state and local corrections' resources, including resources
9 supporting parole and probation supervision, and also including an estimate of the increase in the
10 anticipated number of bed-days to be used annually at both the state and local level as a result of
11 the passage of the measure. For purposes of this section "bed-days" means the number of days of
12 anticipated incarceration or treatment in a residential facility.

13 (e) The fiscal impact statement required under this section must describe the fiscal impact
14 that the measure, if enacted, would have on the state as well as on the local cities and town for ten
15 (10) years, beginning on the effective date of the measure.

16 (f) A state agency that prepares and submits to the state budget office fiscal impact
17 statements or related fiscal information applicable to a measure introduced before the general
18 assembly, the effect of which is to create a new crime, increase the period of incarceration allowed
19 or required for an existing crime or otherwise modify sentencing or state correctional policies, shall
20 describe the fiscal impact that the measure would have on the state agency for ten (10) years,
21 beginning on the effective date of the measure.

22 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would require fiscal notes from the state budget office to determine the fiscal
2 impact of new criminal legislation on state and local law enforcement agencies, courts, department
3 of attorney general, defense resources as well as state and local corrections resources.
4 This act would take effect upon passage.

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