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|  | **The Council of the City of New York**  **Finance Division**  Latonia McKinney, Director  **Fiscal Impact Statement**  **Proposed Int. No.** 903-A  **Committee:** Criminal Justice |
| **Title:** To amend the administrative code of the city of New York, in relation to funds remaining in commissary accounts when incarcerated individuals are released from custody | **Sponsors:** By Council Members Adams, Miller, Holden, Ampry-Samuel, Powers, Rose, Rivera, Rosenthal, Louis, Yeger and Brooks-Powers (by request of the Queens Borough President) |
| **Summary of Legislation:**  Proposed Int. No. 903-A would require the Department of Correction (DOC) to explain where and how to claim unspent commissary funds to people being released from custody during the discharge process. DOC would be required to return up to $200 in commissary funds in cash upon request and return any commissary balance greater than $200 by check. The bill would also require the Department to make reasonable efforts to return unused commissary funds to formerly incarcerated individuals and to establish a plan for raising awareness regarding obtaining commissary funds. No later than May 31, 2023, and annually thereafter, DOC would be required to provide to the Council and post permanently on its website a report on the outstanding commissary funds and its attempt to return such funds. | |
| **Effective Date:** This local law would take effect 180 days after becoming law. | |
| **Fiscal Year In Which Full Fiscal Impact Anticipated:** Fiscal 2023 | |
| **Fiscal Impact Statement:**   |  |  |  |  | | --- | --- | --- | --- | |  | **Effective FY22** | **FY Succeeding**  **Effective FY23** | **Full Fiscal** Impact FY23 | | **Revenues (+)** | $0 | $0 | $0 | | **Expenditures (-)** | $0 | $0 | $0 | | **Net** | $0 | $0 | $0 | | |
| **Impact on Revenues:** It is estimated that there will be no impact on revenue because unused commissary deposits are not recognized by the revenue budget and are instead held in an off-budget account. | |
| **Impact on Expenditures:** It is estimated that there would be no impact on expenditures as a result of this legislation because DOC can utilize existing resources to provide these services. | |
| **Source of Funds To Cover Estimated Costs:** N/A | |
| **Source of Information:** City Council Finance Division  Department of Correction | |

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| **Estimate Prepared by**: Jack Storey, Financial Analyst    **Estimate Reviewed by:** Regina Poreda Ryan, Deputy Director  Eisha Wright, Unit Head  Noah Brick, Assistant Counsel    **Legislative History:** This legislation was introduced to the Council on May 9, 2018, as Intro. No. 903 and was referred to the Committee on Criminal Justice (Committee). A hearing was held by the Committee, jointly with the Committee on Justice System and the Committee on Mental Health, Disabilities and Addiction on June 17, 2019, and the bill was laid over. The legislation was subsequently amended and the amended legislation, Proposed Int. No. 903-A will be considered by the Committee at a hearing on November 22, 2021. Upon a successful vote by the Committee, Proposed Int. No. 903-A will be submitted to the full Council for a vote on November 23, 2021. |
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**Date Prepared:** November 17, 2021