

**LEGISLATIVE FISCAL OFFICE
Fiscal Note**



Fiscal Note On: **HB 94** HLS 17RS 280
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 19, 2017 2:24 PM	Author: HARRIS, J.
Dept./Agy.: Judiciary	Analyst: Zachary Rau
Subject: Allows for Reentry Courts in Judicial Districts Statewide	

COURTS/DISTRICT OR SEE FISC NOTE LF EX Page 1 of 1
 Authorizes all district courts to establish reentry courts

Present law provides for reentry courts and workforce development sentencing programs in the 1st, 4th, 11th, 14th, 15th, 19th, 21st, 22nd, 24th, 25th, 26th, and 32nd Judicial District Courts (JDCs), as well as in the Orleans Parish criminal district court. Proposed law authorizes the establishment of reentry courts in all JDCs. Proposed law requires JDCs to secure funding for a reentry court before establishing one. Proposed law requires JDCs to ensure bed space is available within the Dept. of Corrections prior to sentencing. Present law provides for criteria a defendant must meet before participating in a workforce development sentencing program. Proposed law retains present law and further provides that defendants must also meet suitability requirements as defined by best practices developed for the Offender Rehabilitation and Workforce Development Program as adopted by the LA Supreme Court.

EXPENDITURES	2017-18	2018-19	2019-20	2020-21	2021-22	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

REVENUES	2017-18	2018-19	2019-20	2020-21	2021-22	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

Proposed law may increase local funds expenditures for Judicial District Courts (JDCs) to the extent they seek to establish reentry courts within their jurisdiction. The proposed legislation authorizes JDCs statewide to establish reentry courts responsible for developing a workforce development sentencing program but is permissive, not required.

Presently only a limited number of JDCs are authorized to operate reentry courts, and establishment of a new reentry court in proposed law requires the districts to secure funding prior to establishment of a new reentry court. Staff at the LA Supreme Court report that reentry courts presently are not funded through the LASC's annual appropriations act, and that districts must secure their own funding to the extent they seek to open reentry courts. Funding that JDCs may seek can be in the form of public and/or private grants, self-funding within their own budget, or through other means. Discussions with the LASC indicate that reentry courts' annual expenditures can range from \$150,000 - \$200,000 annually. These expenditures would be funded through means of finance obtained by the JDCs establishing the new divisions of court.

Furthermore, to the extent offenders remitted to the custody of the state enter newly-established reentry court programs and complete the program successfully, SGF expenditures may decrease by \$51.90 per offender per day if an offender is housed in a state facility or \$24.39 for a state offender housed in a local facility. An offender diverted from the custody of the Department of Public Safety and Corrections - Correction Services for one year would decrease SGF expenditures by \$18,943.50 (\$51.90 per day x 365 days) if housed in a state facility and \$8,902.35 (\$24.39 per day x 365 days) if housed in a local facility. Approximately 50% of state offenders are housed in state facilities and approximately 50% of state offenders are housed in local facilities. However, because the number of new courts that will be established is unknown, as well as the potentially number of offenders that may enter and complete the reentry program is uncertain, an exact potential savings is indeterminable.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure. However, to the extent a JDC desires to establish a reentry court, they must secure a funding source to do so, which would lead to a de facto revenue increase with an associated expenditure increase (see Expenditure Explanation).

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux
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