

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 83** HLS 17RS 261
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: June 13, 2017 8:24 PM	Author: MARINO
Dept./Agy.: Corrections	Analyst: Monique Appeaning
Subject: Audio-Visual Transmission	

CRIMINAL/PROCEDURE EN DECREASE GF EX See Note Page 1 of 1
 Authorizes an incarcerated defendant to appear at certain proceedings by way of simultaneous audio-visual transmission

Proposed law amends and reenacts certain parts of the Code of Criminal Procedure Articles and enacts Code of Criminal Procedure Articles 556(E), 556.1(F), and 562, relative to the presence of the defendant, an incarcerated defendant's appearance at arraignment, the entry of his plea, and probation violation hearing. Proposed law authorizes the incarcerated defendant to appear by way of simultaneous audio-visual transmission, provides for the procedure and requirements for using simultaneous audio-visual transmission, provides for a defendant's waiver of certain rights, provides for use of electronic signatures and related matters.

Proposed law provides for upon request by the defendant or the attorney representing the defendant, the court shall provide the opportunity for confidential communication between the defendant and the attorney representing him at any time prior to or during the proceeding.

EXPENDITURES	2017-18	2018-19	2019-20	2020-21	2021-22	5 -YEAR TOTAL
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law will likely result in an indeterminable decrease in SGF expenditures in the Department of Public Safety and Corrections - Correction Services if certain incarcerated defendants are authorized to appear in court by way of simultaneous audio-visual transmission. The department reports the proposed law will reduce the number of court trips for offenders to appear in court and any potential cost for equipment / technology incurred would be incidental. Proposed law is permissive, not mandatory, and will not require an expenditure to outfit individual unequipped courts to facilitate simultaneous audio-visual transmission.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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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Staff Director