

**LEGISLATIVE FISCAL OFFICE
Fiscal Note**



Fiscal Note On: **SB 16** SLS 21RS 182

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 17, 2021	6:43 PM	Author: PETERSON
Dept./Agy.: Corrections		Analyst: Rebecca Robinson
Subject: Terminates the use of private prisons		

CORRECTIONAL FACILITIES OR DECREASE LF RV See Note Page 1 of 1
Terminates the use of private prisons, for-profit prison contractors in Louisiana. (8/1/21)

Prohibits the Department of Public Safety & Corrections (DPS&C) or any local governmental subdivision, on or after January 1, 2022, from entering into a contract or renewing a contract with a private, for-profit prison contractor for a prison facility located in the state to provide housing for inmates assigned to state or local facilities. Provides that after January 1, 2029, a state prison inmate or other person under the jurisdiction of DPS&C or any local governmental subdivision shall not be housed in a prison facility operated by a private, for-profit prison contractor.

EXPENDITURES	2021-22	2022-23	2023-24	2024-25	2025-26	5 -YEAR TOTAL
State Gen. Fd.	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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						
REVENUES	2021-22	2022-23	2023-24	2024-25	2025-26	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	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total						

EXPENDITURE EXPLANATION

There may be an indeterminable impact on expenditures to the Department of Public Safety & Corrections (DPS&C) as a result of this measure. DPS&C does not currently utilize private prison operators; however, DPS&C contracts with the Winn Parish Sheriff's office to operate the Winn Parish jail and they house 23 DPS&C inmates. The Winn Parish Sheriff has contracted with a private corporation to operate the facility. Therefore, DPS&C would have to relocate those 23 inmates under the proposed law. There may be an increase in expenditures to DPS&C to the extent they must relocate those 23 inmates to a state facility rather than another local facility.

There will be an indeterminable impact on expenditures to Sheriffs' departments and other local governmental entities to the extent they currently contract with private contractors to operate local jails and/or work release programs and will be required to take control of operations at those facilities. The LFO has been able to identify ten local facilities that are operated by a private corporation in the following parishes and other political subdivisions: Catahoula Parish Sheriff, Jackson Parish Sheriff, LaSalle Parish Sheriff, Madison Parish Sheriff, Concordia Parish Sheriff, Winn Parish Sheriff, and Richwood Mayor's Office in Ouachita Parish. The LFO has not been able to identify other parishes or local governmental entities that may operate in other parishes and localities. The LFO did receive information from DPS&C that private corporations may operate work release programs in parish jails; however, the LFO has been unable to confirm this information with the Louisiana Sheriff's Association. There may be an indeterminable impact on expenditures to Sheriffs' departments and/or local governmental entities to the extent they are required to resume administration of prison facilities and/or work release programs.

REVENUE EXPLANATION

There is no anticipated direct material effect on state governmental revenues as a result of this measure as the Department of Public Safety & Corrections (DPS&C) does not currently utilize private prison operators.

There may be an indeterminable decrease in revenue to local Sheriffs' departments and other local governmental entities to the extent they contract with private contractors to operate local jails and/or work release programs. The LFO has been able to identify ten local facilities that are operated by a private corporation (see expenditure explanation above) whose contracts would be canceled under the proposed law.

The Louisiana Sheriff's Association reports there is a \$30 M contract with a private corporation to accept ICE detainees at the Winn Parish jail. The proposed law may require the Winn Parish Sheriff's department to resume control of the local jail; however, the LFO is unable to determine if the Winn Parish Sheriff would be able to retain the contract with the federal government. Therefore, there may be a decrease in revenue to the Winn Parish Sheriff's department. **The bill in its current posture does not explicitly address the status of federal detainees housed in prison facilities in the state.**

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}

Alan M. Boxberger
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Staff Director