



**LEGISLATIVE FISCAL OFFICE  
Fiscal Note**

Fiscal Note On: **HB 282** HLS 22RS 643  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 18, 2022	9:44 AM	<b>Author:</b> MARINO
<b>Dept./Agy.:</b> Courts		
<b>Subject:</b> Drug courts		<b>Analyst:</b> Rebecca Robinson

PROBATION OR INCREASE GF EX See Note Page 1 of 1  
 Provides relative to the probation of defendants in drug division probation programs or specialty court programs

Current law, relative to drug division probation programs, provides that in offering a defendant the opportunity to request treatment, the court shall advise the defendant that he will be placed under the supervision of the drug division probation program for not less than 12 months. Proposed law amends current law to provide that the court will determine the period of time a defendant will be placed under the supervision of the drug division probation program, except that the probation period for a defendant convicted of an offense relative to the operating a vehicle while intoxicated shall not be less than 12 months. Proposed law provides that if a defendant has been sentenced to complete a specialty court program, the defendant may be placed on probation under the supervision of a probation office, agency, or officer designated by the court, other than the division of probation and parole of the Department of Public & Corrections.

<b>EXPENDITURES</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>5 -YEAR TOTAL</b>
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Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

There will be an increase in expenditures to local courts to the extent there is a significant increase in participants in drug and specialty court programs as a result of the proposed law. Under current law participants enrolled in a drug court program are placed under the supervision of the drug division program for a period of not less than 12 months and are supervised by the probation department of the Department of Public Safety & Corrections. Under the proposed law, participants will be placed under supervision for a period determined by the court, except for those participants convicted of operating a motor vehicle while intoxicated. The proposed law will allow individuals with misdemeanor drug convictions to enter the drug court program and be placed on supervision for less than 12 months. These individuals will be supervised by Case Managers at the local court level. To the extent there is a significant increase in participants, local drug court programs may need to hire additional Case Managers; thus, increasing costs. Drug courts are funded by the Louisiana Supreme Court, which is funded through SGF appropriation.

**REVENUE EXPLANATION**

There will be an indeterminable increase in revenue to local courts to the extent there is an increase in participants in drug court programs. Supervision fees for the drug court program are determined by the court exercising jurisdiction.

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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**Evan Brasseaux**  
 Interim Deputy Fiscal Officer