

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 188** HLS 23RS 621

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 27, 2023	12:37 PM	Author: FRIEMAN
Dept./Agy.: Corrections		Analyst: Daniel Druilhet
Subject: Denial of Parole Eligibility for Dangerous Offenders		

PAROLE EG SEE FISC NOTE GF EX See Note
Provides relative to denial of parole for dangerous offenders

Proposed law provides that a district attorney may allege that a person is a dangerous offender when filing an information accusing that person of a previous conviction designating him as a habitual offender. Proposed law also provides that the court is mandated to hold a hearing to determine whether the person is a dangerous offender and, if it reaches that conclusion, order that the sentence imposed be without benefit of parole, probation, or suspension of sentence until 85% of the sentence is served.

Proposed law provides an enumerated list of crimes for which a person has been previously convicted and other factors that can be used to allege that the person is a dangerous offender. Proposed law provides that if a court imposes a sentence to be served without the benefit of parole, probation, or suspension of sentence, that it state for the record considerations taken into account and the factual basis for its determination. Proposed law does not apply to any sentence already designated to be served without probation, parole, or suspension of sentence.

EXPENDITURES	2023-24	2024-25	2025-26	2026-27	2027-28	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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						
REVENUES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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						

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPSC – CS) to the extent that, after a hearing to determine whether the person is a dangerous offender, he is subsequently convicted of the crime for which he has been accused and ordered to serve the resulting sentence without benefit of parole, probation, or suspension of sentence. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many people will be adjudged as dangerous offenders, subsequently convicted, and then assessed a sentence without the benefit of parole, probation, or suspension of sentence until 85% of the sentence is served.

SGF expenditures will increase by \$101.76 per offender per day to the extent that an offender is convicted and then subsequently housed in a state facility or \$26.39 per offender per day for a state offender housed in a local facility. An offender sentenced to the custody of the DPSC – CS for one year would increase expenditures by \$37,142.40 (\$101.76 per day x 365 days) if housed in a state facility and \$9,632.35 (\$26.39 per day x 365 days) if housed in a local facility.

REVENUE EXPLANATION

Proposed law may result in an indeterminable decrease in self-generated revenue to DPS&C – Probation and Parole to the extent an offender, previously eligible for parole at an earlier date prior to the enactment of this legislation, would only be eligible for parole after having served 85% of the sentence. The current daily parole supervision rate for adult offenders is \$5.60 per day, which would result in an annual loss of \$2,044 (\$5.60 x 365) in parole supervision SGR.

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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Interim Deputy Fiscal Officer