



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **HB 211** HLS 23RS 525
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: June 4, 2023	4:19 PM	Author: JORDAN
Dept./Agy.: Corrections		Analyst: Daniel Druilhet
Subject: Prohibition of Slavery and Involuntary Servitude		

CONSTITUTION/AMENDMENT RE INCREASE GF EX See Note Page 1 of 1
 (Constitutional Amendment) Prohibits slavery and involuntary servitude

Current law provides that slavery and involuntary servitude are prohibited, except in the case that involuntary servitude is permissible as punishment for crime.

Proposed law amends current law to forever prohibit slavery and involuntary servitude and does not except involuntary servitude as permissible as punishment for crime. Proposed law is mandated to be submitted to voters in the state of Louisiana via a statewide election to be held October 14, 2023.

EXPENDITURES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	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.	\$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>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The fiscal impact of proposed law is unclear, as there is uncertainty concerning how it would be interpreted and implemented. To the extent that the proposed law is interpreted to prohibit some or all forms of work, it could result in an indeterminable increase in state and local costs, with those costs potentially being significant.

Proposed law's uncertainty is specific to the interpretation of the provision's prohibition against involuntary servitude, which is not currently defined in the proposed law, in the Louisiana Civil Code, or in the Louisiana Revised Statutes. If proposed law interprets involuntary servitude as compensation of inmate labor less than minimum wage or the market rate compensated for specific labor performed, the Department of Public Safety & Corrections - Corrections Services (DPS&C-CS) and local sheriffs would be required to raise inmate wages to cover the differential in wages currently compensated and the minimum wage or market rate compensated for specific labor performed. If proposed law interprets involuntary servitude as the performance of compulsory or forced labor, notwithstanding the consideration of any wage compensated for labor performed, costs associated with potential litigation could be incurred by DPS&C-CS and local sheriffs.

Secretary of State

Proposed law is a constitutional amendment that will be considered by voters at the statewide election to be held on October 14, 2023. The Secretary of State may incur minimal ballot printing costs associated with this measure. However, as a regular practice, the Secretary of State typically budgets for up to 10 constitutional amendments for the fall statewide elections. To the extent the ballot includes more than 10 constitutional amendments and statewide propositions, the Secretary of State may require additional SGF resources for the October 14, 2023, statewide election. Any expenditure impact would be realized in FY 24.

REVENUE EXPLANATION

Proposed law's impact to revenue generated by DPS&C-CS and local sheriffs is unclear, as any future revenue generated with proposed law's enactment is contingent on how is it implemented, the interpretation of its prohibition against involuntary servitude, and adjustments made to current labor compensation.

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

Evan Brasseaux
 Interim Deputy Fiscal Officer