



**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**

Fiscal Note On: **SB 5** SLS 242ES 14  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> February 17, 2024 5:48 PM	<b>Author:</b> MCMATH
<b>Dept./Agy.:</b> Corrections	
<b>Subject:</b> Parole Proceedings and Revocation of Parole	<b>Analyst:</b> Daniel Druilhet

PROBATION/PAROLE OR INCREASE GF EX See Note Page 1 of 1  
 Provides for parole proceedings and revocation of parole in certain cases. (8/1/24) (Item #4)

Current law provides that the Committee on Parole (the committee) may grant parole with two votes of a three-member panel, or if the number exceeds a three-member panel, a majority vote of those present; requires the committee to notify the district attorney (DA) of the parish where a conviction occurred, the victim, or the spouse or next of kin of a deceased victim, of the date of a hearing scheduled to review the granting or denial of parole sixty days prior to the hearing date; mandates that the DA be allowed to review the record (since incarceration) of the offender seeking parole; mandates that the DA be allowed to present testimony to the committee; mandates that the committee shall not consider a parole hearing of any person convicted of a crime of violence, a sex offense considered a crime of violence, or manslaughter until at least four years after the denial of parole. Proposed law amends current law to require a unanimous vote of the committee to grant parole; only allows consideration for parole if an offender has not committed any major disciplinary offenses for 36 consecutive months prior to his parole eligibility date; mandates that the committee also notify the attorney general (AG) at least 90 days prior to a hearing scheduled to review the granting or denial of parole, and that the AG also be allowed to review the defendant's record and present testimony at parole hearings; mandates that parole hearings be scheduled in order in which applications for parole are filed.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	<b>INCREASE</b>	<b>INCREASE</b>	<b>INCREASE</b>	<b>INCREASE</b>	<b>INCREASE</b>	
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	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>

**Annual Total**

REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	<b>DECREASE</b>	<b>DECREASE</b>	<b>DECREASE</b>	<b>DECREASE</b>	<b>DECREASE</b>	
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>

**Annual Total**

**EXPENDITURE EXPLANATION**

Proposed law will likely result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections - Corrections Services (DPS&C-CS), to the extent that inmates are denied parole by not receiving a 2/3 affirmative vote of the Committee on Parole. Proposed law will remove the ability of inmates to receive a 2/3 affirmative vote of the Committee on Parole (and require granting of parole to occur with a unanimous vote), which will result in a smaller number of inmates granted parole who would be subject to longer stays of incarceration. The exact fiscal impact to DPS&C-CS is indeterminable because there is no way to determine how many prisoners previously eligible for parole with a 2/3 affirmative vote of the Committee on Parole would be ineligible in the future, and the varying lengths of time to which those granted parole would be required to serve.

SGF expenditures will increase by \$107.60 per offender per day to the extent that an offender is convicted and then housed in a state facility or \$26.39 per offender per day for an offender housed in a local facility. An offender sentenced to the custody of the DPSC - CS for one year would increase expenditures by \$39,274 (\$107.60 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.

*For informational purposes, DPS&C-CS advised that on average, for the last two years, an average of 20 inmates (15 in 2022 and 25 in 2023) have been granted parole by an affirmative 2/3 vote of the Committee on Parole, and an average of 409 inmates (456 in 2022 and 362 in 2023) have been granted parole by a unanimous vote of the Committee on Parole. Considering the number of inmates granted parole for the last two years with a 2/3 affirmative vote of the Committee on Parole, if proposed law was enacted, an average of 20 inmates would be denied parole due to not receiving unanimous votes from the Committee on Parole, extending their periods of incarceration.*

**REVENUE EXPLANATION**

There will be an indeterminable decrease in self-generated revenue to DPS&C - Probation and Parole to the extent any offender is required to serve a longer sentence pursuant to proposed law. The current daily parole supervision rate for adult offenders is \$5.43 per day, which would result in an annual loss of \$1,981.95 (\$5.43 x 365) in parole supervision SGR for each adult offender.

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}

**Patrice Thomas**  
 Deputy Fiscal Officer