



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 9** HLS 242ES 10
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.: **REVISED**

Date: February 28, 2024 9:06 AM	Author: VILLIO
Dept./Agy.: Corrections	
Subject: Eliminates Parole	Analyst: Daniel Druilhet

PAROLE RE INCREASE GF EX See Note Page 1 of 2
 Provides relative to parole (Item #1)

Current law provides that a person shall be eligible for parole consideration upon serving 25% of the sentence imposed, with the exception that those who have committed crimes of violence, sex offenses defined as crimes of violence, or those convicted of a fourth or subsequent nonviolent felony offense would not be eligible for parole consideration upon serving 25% of the sentence imposed. Current law makes eligible for parole a person sentenced to imprisonment for thirty or more years upon serving at least 20 years imprisonment; makes eligible for parole a person serving a life sentence for producing, manufacturing, distributing, dispensing, or possession with intent to distribute, manufacture, or produce heroin, upon serving at least 15 years of imprisonment; provides parameters for parole consideration for those who have reached the age of 60 years based upon varying conditions. Proposed law removes consideration for parole eligibility for any person committed to the custody of the Department of Public Safety & Corrections for any offense committed on or after August 1, 2024, except those in custody under certain provisions. Proposed law retains current law regarding parole eligibility provisions for life sentences imposed on juveniles.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	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	\$0	\$0	\$0	\$0	\$0	\$0

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

EXPENDITURE EXPLANATION

Proposed law will result in an increase in SGF expenditures to the Department of Safety and Corrections - Corrections Services (DPS&C-CS). Proposed law eliminates parole consideration for any person committed to the custody of DPS&C-CS for offenses committed on or after 8/01/24 (excluding those within La. R.S. 15:574.4(D),(E),(F),(H), (J), and (K)), therefore the number of offenders previously eligible for parole on an annual basis will diminish over time, resulting in an increase in SGF expenditures to accommodate longer periods of incarceration. Given that changes to parole eligibility will only apply to offenses committed on or after 8/01/24, the LFO assumes the first expenditure exposure to likely occur in FY 26.

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 illustrative purposes, over the last three years, on average, 595 inmates were granted parole. The percentage of state inmates housed at state facilities is 48%, while the percentage of state inmates housed at local facilities is 52%. For an average of 595 denied parole consideration in each year (48% = 286 inmates; 52% = 309 inmates) with the enactment of proposed law, DPS&C-CS would sustain an increase of \$11.2 M per year (286 inmates x \$107.60 x 365 = \$11,232,364) to house inmates in state facilities and an increase of \$2.9 M (309 inmates x \$26.39 x 365 = \$2,976,396.15) to house inmates in local facilities required to serve longer sentences. The total expenditures to house offenders no longer eligible for parole, assuming the average of 595 offenders, would be \$14.2 M annually (\$11,232,364 + \$2,976,396.15).

In public testimony during the 2024 2nd ES, DPS&C-CS testified that impacts on offender populations are anticipated to impact the number of offenders held in local facilities. DPS&C-CS reports that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities. Therefore, while offenders impacted by the provisions of proposed law may be placed in either a state or local facility, the impact to the overall system will presumably be an increase in the number of offenders housed in local facilities. [CONTINUE ON PAGE 2]

REVENUE EXPLANATION

There will be an indeterminable decrease in self-generated revenue to DPS&C - Probation and Parole to the extent any offender remains in custody longer and is not eligible for parole for any offenses committed after August 1, 2024, 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 = \$1,981.95) in parole supervision SGR for any additional time that offenders would be incarcerated where they previously would potentially be eligible for and granted parole under current law.

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> |
| <input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H} | | <input checked="" type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H} | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |


Patrice Thomas
 Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

[CONTINUED FROM PAGE 1]

For illustrative purposes, the cost to house offenders in local facilities under the same assumptions as referenced above for an average of 595 denied parole consideration in each year with the enactment of proposed law, DPS&C-CS could sustain an increase of \$5.7 M per year (595 inmates x \$26.39 x 365 = \$5,731,248) to house inmates in local facilities required to serve longer sentences.

Note: Proposed law may also result in a recognized savings to the Department of Public Safety & Corrections - Probation and Parole to the extent that maintaining current staff levels for parole supervision becomes no longer necessary. DPS&C reports that it currently has 618 total Probation and Parole agents on staff. To the extent that the number of probation and parole agents gradually declines in the future, DPS&C would recognize a savings in salaries and benefits paid to probation and parole officers, but that savings will likely not be realized in the next five years and is beyond the scope of this bill. However, this outcome is not likely in the near-term future, as average caseloads per agent currently exceed national benchmarks by a significant margin.

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}


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