



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **SB 177** SLS 24RS 413
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

| | | |
|---|----------|---------------------------------|
| Date: March 25, 2024 | 10:50 AM | Author: MORRIS, JAY |
| Dept./Agy.: Judiciary/Secretary of State/Courts | | Analyst: Daniel Druilhet |
| Subject: Composition of Judiciary Commission Members | | |

COURTS OR +\$5,692 GF EX See Note Page 1 of 1

Constitutional amendment to increase the non-lawyer membership of and provide for the selection judiciary commission members and to require investigations be conducted by directive of the supreme court. (2/3 - CA13s1(A))

Current law is a Constitutional provision that provides that the judiciary commission shall consist of 9 members - 1 court of appeal judge and 2 district court judges selected by the supreme court, 2 attorneys admitted to the practice of law for at least 10 years and 1 attorney admitted to the practice of law for at least 3 years, but not more than 10 years, selected by the Conference Court of Appeal Judges or its successor; 3 citizens, not active or retired judges, or public officials, selected by the LA District Judges Association or its successor. Proposed law increases the membership of the Judiciary Commission to 13 members - 2 court of appeal judges and 2 district court judges selected by the supreme court; 1 attorney admitted to the practice of law for at least 10 years; 1 attorney admitted to the practice of law for at least 3 years but not more than 10 years, selected by the Conference of Court of Appeal Judges or its successor, both who cannot be judges, active or retired, or a public official, other than a notary; 2 citizen members, not active or retired judges or public officials, selected by the LA District Judges Association or its successor; 3 members appointed by the governor who are not lawyers, judges, active or retired, or public officials; 1 member appointed by the Speaker of the House, and 1 member appointed by the Senate president; permits the supreme court, by a majority vote (without a requirement for a recommendation from the judiciary commission), to censure, suspend, disqualify, involuntarily retire, or remove from office, a judge for willful misconduct and malfeasance, after an investigation by the judiciary commission, and with a majority vote of the supreme court; places proposed law Constitutional amendment to be submitted on a ballot proposition for the statewide election to be held 11/05/24.

| EXPENDITURES | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 5 -YEAR TOTAL |
|---------------------|----------------|----------------|----------------|----------------|----------------|-----------------|
| State Gen. Fd. | \$5,692 | \$5,863 | \$6,038 | \$6,220 | \$6,406 | \$30,219 |
| 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 |
| Annual Total | \$5,692 | \$5,863 | \$6,038 | \$6,220 | \$6,406 | \$30,219 |
| 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 | \$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 |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

EXPENDITURE EXPLANATION

The proposed legislation is anticipated to increase SGF expenditures in the Louisiana Supreme Court by approximately \$5,692 in FY 25, \$5,863 in FY 26, \$6,038 in FY 27, \$6,220 in FY 28, and \$64,06 in FY 29 associated with travel and lodging costs, to the extent that an affirmative vote of the majority of electors in the November 5, 2024 statewide election on the constitutional amendment increases the Judiciary Commission from nine members to 13 members.

Projections for travel and lodging expenditures related to four new Judiciary Commission members in FY 25 and subsequent fiscal years (calculated with a 3% inflation rate) are based on an annual average of \$12,807 in expenses reimbursed by the Louisiana Supreme Court to nine current Judiciary Commission members from FY 21 through FY 23.

\$12,807 Average Annual Expenses/9 Judiciary Commission Members = \$1,423 Average Expenses Per Member

\$1,423 Average Expenses Per Member x 4 New Judiciary Commission Members = \$5,692

Note: The average expenses for each of the new members appointed with an affirmative vote of the majority of the electors in the November 5, 2024, statewide election may fluctuate, depending on the location of the new members and associated expenditures for per diems and mileage reimbursements. The Judiciary Commission meets approximately 10 times per year.

The proposed legislation also assigns additional duties to the Judiciary Commission relative to investigating members of the judiciary for willful misconduct or malfeasance, and requires the supreme court to establish rules regarding the investigative authority provided to judiciary commission members. The LFO presumes that additional expenditures may be incurred associated with the Supreme Court promulgating these rules and judiciary commission members exercising their investigative authority, but any fiscal impact related to these measures is indeterminable.

Secretary of State

The proposed constitutional amendment may result in a minimal increase in programming costs for the Department of State to update voting machines for statewide judicial elections and can likely be absorbed within the department's existing operating budget. The Department of State may incur minimal ballot processing costs associated with this measure. As a regular practice, the Department of State typically budgets for up to 10 constitutional amendments and statewide propositions for the fall statewide elections. To the extent the ballot includes more than 10 constitutional amendments and statewide propositions, the Department of State may require additional SGF resources for the November 5, 2024, statewide election. Any expenditure impact would be realized in FY 25.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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