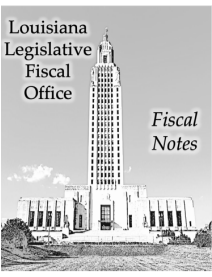


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 633** HLS 24RS 995
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 15, 2024	6:21 PM	Author: BUTLER
Dept./Agy.: Supreme Court/Courts/District Attorneys		Analyst: Daniel Druilhet
Subject: Mandatory Drug Testing and Screening in Drug Courts		

COURTS OR NO IMPACT See Note Page 1 of 1

Provides relative to mandatory drug testing, screening, and assessment for drug and specialty court participation for certain offenders

Current law requires every person arrested for a violation of the Uniform Controlled Dangerous Substances (UCDS) or crime of violence to be subject to a pretrial drug test for the presence of designated substances as a condition of bail. Proposed law provides procedures for pretrial drug testing and screening; requires pretrial drug testing to occur within 24 hours of the booking of the person; requires clinical screening for those persons testing positive for UCDS and considered suitable for a drug court program; requires information and records obtained pursuant to the proposed law to be confidential with the exception of disclosure to the district attorney or defense attorney; makes information or records obtained from pretrial drug testing or screening to be inadmissible in civil/criminal actions except for the purposes of determining suitability for participation in drug court programs; provides that the expenses and costs incurred relative to the mandatory drug testing and screening to be an approved purpose for the use of opioid funds; removes mandatory participation in pretrial drug testing for all persons arrested for state law violations; allows a court to suspend, in whole or in part, imposition of execution of a sentence of a defendant considered suitable for a drug court program; provides guidelines related to objection by district attorneys to consent to suspensions of sentences under proposed law; provides automatic expungements to those who complete a drug court program.

EXPENDITURES	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

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

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

The proposed legislation, in part, duplicates the provisions of Act 4 of the 2024 2nd Extraordinary Legislative Session, with the exception that it adds a provision entitling those who complete a drug or specialty court program to automatic expungements of their records of arrest and conviction that necessitated their participation in the drug or specialty court program. Because the proposed law does not provide the definition, procedure, or whether any part of the existing expungement process will be eliminated with an automatic expungement, there is no anticipated fiscal impact as to workload related to the processing of expungements.

REVENUE EXPLANATION

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

Senate
 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