



LEGISLATIVE FISCAL OFFICE
Fiscal Note

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

Date: May 31, 2024	8:53 PM	Author: MORRIS, JAY
Dept./Agy.: Judiciary/Secretary of State/Courts		Analyst: Daniel Druilhet
Subject: Composition of Judiciary Commission Members		

COURTS EN +\$7,115 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))

Proposed law permits the supreme court on recommendation of the judiciary commission or on its own motion, disqualify a judge, or after an investigation by the judiciary commission (instituted on recommendation of the judiciary commission or by a majority vote of the supreme court), censure, suspend, involuntarily retire, or remove from office, a judge for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, malfeasance, conduct while in office which would constitute a felony, sustaining a felony conviction, or for a disability that seriously interferes with the performance of his duties and that is likely to become permanent; provides that the supreme court shall make rules regarding censuring, disqualifying, involuntarily retiring, or removing a judge from office; adds two appointees of the speaker of the Louisiana House of Representatives, two appointees of the Louisiana Senate, and one appointee of the governor, to the judiciary commission; places proposed law as a Constitutional amendment to be submitted on a ballot proposition for the statewide election to be held 12/07/24.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$7,115	\$7,328	\$7,548	\$7,774	\$8,008	\$37,773
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	\$7,115	\$7,328	\$7,548	\$7,774	\$8,008	\$37,773

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 \$7,115 in FY 25, \$7,328 in FY 26, \$7,548 in FY 27, \$7,774 in FY 28, and \$8,008 in FY 29 associated with travel and lodging costs, to the extent that an affirmative vote of the majority of electors in the December 7, 2024, statewide election on the constitutional amendment increases the Judiciary Commission from nine members to 14 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 5 New Judiciary Commission Members = \$7,115

Note: The average expenses for each of the new members appointed with an affirmative vote of the majority of the electors in the December 7, 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 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 December 7, 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