

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



Fiscal Note On: **HB 191** HLS 26RS 488

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> March 29, 2026 1:26 PM	<b>Author:</b> VILLIO
<b>Dept./Agy.:</b> Corrections and Sheriffs	<b>Analyst:</b> Daniel Druilhet
<b>Subject:</b> Credit for Prior Custody	

CRIMINAL/SENTENCING

OR SEE FISC NOTE GF EX

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Provides relative to credit for prior custody

Current law provides for credit toward service of a defendant's sentence for time spent in actual custody prior to the imposition of sentence; provides that a defendant shall receive credit only for time in actual custody and only once during any calendar month when consecutive sentences are imposed; provides that no defendant shall receive credit for any time served prior to the commission of the crime; provides that a defendant shall not receive credit for time served under home incarceration, provides that a defendant shall not receive overlapping jail credit, except in the instance of concurrent sentences and then only for time spent in jail on the instant felony. Proposed law prohibits a defendant from receiving overlapping jail credit when consecutive sentences are imposed for multiple counts or charges, regardless if the sentence imposed is subsequently corrected (when it exceeds the maximum sentence authorized by law); provides that credit for time spent in actual custody shall be applied to only one of the consecutive sentences imposed; provides that any overlapping jail credit that is awarded in violation of current law is null, void, and of no effect.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	<b>SEE BELOW</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	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</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>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

Proposed law may 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 overlapping credit for time served is no longer available for consecutive sentences imposed for multiple counts or charges. The proposed law has the effect of only allowing credit for time served to be applied to individual sentences, in instances in which consecutive sentences for different convictions have been imposed. The exact fiscal impact is indeterminable, because it is unknown the number of offenders who may be sentenced to consecutive sentences that will not have overlapping credit for time served applied to each individual sentence imposed, or the resulting increase in the number of days that their sentences will be served.

For those offenders convicted of more than one sentence, with each sentence mandated to be served consecutively to other sentences imposed, who are housed in a state facility, DPS&C-CS will sustain expenditures of \$107.60 per offender per day, as the overlapping credit for time served will no longer apply to multiple sentences. For those offenders convicted of more than one sentence, with each sentence mandated to be served consecutively to other sentences imposed, who are housed in a local facility, DPS&C-CS will sustain expenditures of \$29.39 per offender per day, as the overlapping credit for time served will no longer apply to multiple sentences imposed.

**REVENUE EXPLANATION**

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

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

**Patrice Thomas**  
**Deputy Fiscal Officer**