

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



Fiscal Note On: **HB 210** HLS 14RS 285  
 Bill Text Version: **REENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 10, 2014 9:56 AM	<b>Author:</b> JEFFERSON
<b>Dept./Agy.:</b> Corrections	<b>Analyst:</b> Stephanie C. Blanchard
<b>Subject:</b> Eligibility of medical parole	

PAROLE RE DECREASE GF EX See Note Page 1 of 1  
 Amends eligibility criteria for medical parole

Present law provides that the decision to grant parole rests solely with the committee on parole. Proposed law retains present law. Present law provides that any inmate, except when incarcerated for first and second degree murder, may be considered by the committee on parole for medical parole unless the inmate is sentenced to death or has a contagious disease. Proposed law removes the disqualification of having a contagious disease from eligibility for consideration of medical parole. Present law contains criteria for consideration involving inmates who are permanently incapacitated or terminally ill. Proposed law adds the definition of "terminally ill" to mean a life expectancy of less than one year due to an underlying medical condition. No inmate shall be recommended for medical parole by the department until full consideration has been given to the inmate's crime and criminal history, length of time served in custody, institutional conduct, an indication that the inmate represents a low risk to himself or society, and a medical assessment of the inmate's medical condition. The committee on parole shall determine the risk to public safety and shall grant medical parole only after determining the inmate does not pose a threat to public safety.

<b>EXPENDITURES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

The proposed legislation may result in an indeterminable decrease in state general fund expenditures. Present law provides that any offender, except when incarcerated for first or second degree murder, may be considered by the committee on parole for medical parole unless the offender is sentenced to death or has a contagious disease. Proposed law removes the disqualification of having a contagious disease from eligibility for consideration of medical parole. Proposed law also removes the "danger to himself or others" element from the definition of permanently disabled offender and "terminally ill offender" and adds to the definition of "terminally ill" to mean a life expectancy of less than one year due to an underlying medical condition. For each offender that is released on parole, the state would recognize a savings of \$21.85 per day (\$24.39 per day, per offender - \$2.54 per day per offender supervision) or \$7,975 annually for those in local facilities and \$49.97 (\$52.51 per day, per offender - \$2.54 per day per offender supervision) or \$18,239 annually for those in a state correctional facility.

According to the Department of Corrections, there are approximately 30 offenders that are eligible for medical parole.

Savings are more likely to be incurred for offenders housed at the local level due to state facilities backfilling beds in a more timely manner. Any savings may also be reduced by recidivism.

**REVENUE EXPLANATION**

The proposed legislation may result in an increase in self-generated revenue. For each offender that is released to parole at an earlier date, the Department of Corrections could collect up to \$63 per month from each offender under parole supervision. It should be noted that the maximum amount paid per month is \$63 and the offender's ability and amount he is required to pay is determined by the Board of Parole.

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|---|----------------------------|--------------|--|
| <u>Senate</u>   | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       |                            |              | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {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} |

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**