

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



Fiscal Note On: **HB 149** HLS 20RS 504  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

**Date:** March 31, 2020 10:49 AM **Author:** BRYANT  
**Dept./Agy.:** Board of Pardons **Analyst:** Monique Appeaning  
**Subject:** Pardons and Commutation of Sentence

PARDON/PAROLE OR SEE FISC NOTE GF EX Page 1 of 1

Provides relative to the length of time certain applicants are required to wait before filing a subsequent application for a pardon or commutation of sentence after a denial

Proposed law provides that if the application is denied, the applicant shall be notified in writing of the reason for the denial and thereafter may file a new application to the board no earlier than two years (present law is five years) from the date of action by the board. Proposed law provides that any subsequent applications shall not be filed earlier than two years (present law is five years) after the immediately preceding action taken by the board.

<b>EXPENDITURES</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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>	<u><b>\$0</b></u>
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>5 -YEAR TOTAL</b>
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u><b>\$0</b></u>
<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 will result in an indeterminable net expenditure impact to the Department of Public Safety and Corrections - Corrections Services (DPSC-CS). DPSC-CS reports that it will require a \$67,180 SGF expenditure increase for one additional T.O. position to address the increased workload for the Parole Board as a result of changing the timeframe in which an applicant can file a subsequent application from five years to two years. The funding will provide for salary (\$47,986) and related benefits (\$19,194) for an Investigative Specialist. The LFO cannot corroborate the need for the additional T.O. position. The net impact on applications submitted for pardons or commutations of sentence is indeterminable. Given that DPSC-CS estimates the number of commutations requested will more than double, additional resource requirements are likely. The number of successful applicants may create savings as below.

Proposed law may result in a potential savings to the DPSC-CS. Proposed law amends present law to reduce the amount of time an applicant is required to wait before filing a new application for a pardon or commutation of sentence, after a prior application has been denied, from five years to two years. Therefore, for each offender impacted by the proposed law in the future (assuming an offender is actually granted their application for pardon the full two years earlier), the state would realize a total cost savings of \$24,615.50 or \$9,632.35 per offender annually.

SGF expenditures will decrease by \$67.44 per offender per day if an offender is housed in a state facility or \$26.39 for a state offender housed in a local facility. An offender sentenced to the custody of the DPSC - CS for one year would decrease SGF expenditures by \$24,615.60 (\$67.44 per day x 365 days) if housed in a state facility and \$9,632.35 (\$26.39 per day x 365 days) if housed in a local facility. Approximately 50% of state offenders are housed in state facilities and approximately 50% are housed in local facilities.

**Commutations Requested**

Year:	2015	2016	2017	2018	2019	2020*	2021*
Number:	101	112	193	114	137	346	380

\*Projected

**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}

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