



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 68** HLS 21RS 375
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 25, 2021	4:42 PM	Author: LANDRY
Dept./Agy.: Corrections		
Subject: Solitary confinement		Analyst: Rebecca Robinson

CORRECTIONS OR INCREASE GF EX See Note Page 1 of 1
 Provides relative to restricting solitary confinement

Proposed legislation restricts the use of solitary confinement of prisoners with certain conditions who housed in facilities owned by the Department of Public Safety & Corrections (DPS&C) or in a private correctional institution. Requires DPS&C to provide training annually on mental illness and mental health treatment for all department staff and contractors that have direct prisoner contact.

EXPENDITURES	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						
REVENUES	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>5 -YEAR TOTAL</u>
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There will be an increase in SGF expenditures to the Department of Public Safety & Corrections - Corrections Services (DPS&C) as a result of the proposed legislation. The exact fiscal impact to DPS&C is indeterminable; however, the department reports that proposed legislation would require creation other housing areas/resources if solitary confinement is eliminated as a disciplinary measure in state facilities. Modifications to existing housing areas and resources are speculative and the expenditure impact is indeterminable. DPS&C will also be required to include in the training curriculum for new corrections officers, department staff, or contractors who will work regularly in programs providing mental health treatment for prisoners, at least eight hours of training about the a range of issues regarding mental illness and the means to effectively and safely deescalate and manage prisoners with mental illness. All department staff and staff of any facility who contract with the department shall be required to receive annual training each year regarding identification of, and care for, prisoners with mental illness. The LFO cannot determine if the annual training also requires a minimum of eight hours, but there will be a recurring, indeterminable expenditure associated with this training.

Proposed law requires DPS&C to ensure that staff of any facility who contracts with the department receives the prescribed training. Currently, the Louisiana Commission on Law Enforcement (LCLE) provides training for local jailers working in these facilities. The LFO assumes that LCLE will be responsible for training local jailers and would have an increase in SGF expenditures in order to develop and implement the required training. LCLE reports that the design and development of a training course would be contracted out on behalf of the POST council and would seek technical and professional assistance with the course content pursuant to the requirements of this legislation. LCLE estimates a cost as high as \$70,400 for in person training with mental health professionals or as low as \$28,000 per module to develop online training modules. Alternatively, DPS&C may develop its own method of providing the prescribed training.

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}

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