



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 234** SLS 22RS 493
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 12, 2022 3:15 PM **Author:** JACKSON
Dept./Agy.: Office of Juvenile Justice
Subject: Special juvenile procedures **Analyst:** Rebecca Robinson

JUVENILE JUSTICE OR DECREASE GF EX See Note Page 1 of 1

Constitutional amendment to allow adult prosecution and enhanced penalties against juveniles in correctional facilities who commit assault or battery against an employee or juvenile. (2/3 - CA13s1(A))

Proposed constitutional amendment to add to the list of offenses to which special juvenile procedures need not apply. Adds battery of a correctional facility employee, any battery committed upon a juvenile detained in a correctional facility, any assault committed upon a correctional facility employee or juvenile detained in a correctional facility.

EXPENDITURES	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
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>	\$0
Annual Total						
REVENUES	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</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>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation will likely result in a net decrease in state expenditures. There will be an increase in SGF expenditures for the Department of Public Safety & Corrections - Corrections Services (CS) and a decrease in SGF expenditures for the Department of Public Safety & Corrections - Youth Services (YS) to the extent the proposed constitutional amendment is adopted.

There will be a decrease in SGF expenditures for Youth Services to the extent a juvenile is charged with the battery of a correctional facility employee, the battery of a juvenile detained in a correctional facility, or an assault committed upon a correctional facility employee or juvenile detained in a correctional facility, and the District Attorney opts to try the juvenile as an adult, and the juvenile is convicted. The juvenile would then be remanded to the custody of Corrections Services rather than Youth Services. The daily rate for secure care with Youth Services varies depending on the secured facility in which the juvenile has been housed. The daily cost per juvenile for secure care is as follows: \$284.16 - Bridge City; \$160.93 - Acadiana; \$162.13 - Swanson Monroe; \$124.11 - Swanson Columbia. In comparison, any juvenile in the custody of Corrections Services would cost \$26.39 per day per offender in adult local housing and \$83.23 per day per offender in a state facility. The increase in expenditures with Corrections Services will be offset by the larger decrease in expenditures with Youth Services; thus, creating a net decrease in state expenditures.

The Secretary of State may incur minimal ballot processing costs associated with this measure. As a regular practice, the Secretary 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 Secretary of State may require additional SGF resources for the November 8, 2022 statewide election. Any expenditure impact would be realized in FY 23.

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
 Interim Deputy Fiscal Officer