



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 304** SLS 22RS 537
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action: **w/ HSE COMM AMD**
 Proposed Amd.:
 Sub. Bill For.:

Date: May 19, 2022	10:55 AM	Author: CATHEY
Dept./Agy.: Corrections		
Subject: Diminution of sentence		Analyst: Rebecca Robinson

CRIME/PUNISHMENT EG1 INCREASE GF EX See Note Page 1 of 1
 Provides relative to commutation of a prison sentence for good behavior. (gov sig)

Proposed legislation provides that a person convicted in the death of a victim who was a peace officer or first responder shall earn diminution of sentence at a rate of 1 day for every 30 days in custody.

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

EXPENDITURE EXPLANATION

There will be an indeterminable increase in SGF expenditures for the Department of Public Safety & Corrections - Corrections Services (DPS&C) as a result of the proposed measure. The proposed legislation would only apply to persons convicted of manslaughter, negligent homicide, or vehicular homicide in the death of a victim who was a peace officer or first responder. Under current law, depending on the circumstances of each case and the sentence imposed, offenders earn good time at a rate of 1 day for every 3 days in custody (or 25%), 30 days for every 30 days in custody (or 50%), or 13 days for every 7 days in custody (or 65%). Under the proposed law, these offenders would earn good time at a rate of 1 day for every 30 days in custody (or 3.2%). The net impact would be an increase in expenditures to DPS&C as certain offenders would earn good time at a substantially lower rate under the proposed law than under the current law, and would remain in custody longer. Any offender remaining in the custody of DPS&C increases SGF expenditures of \$26.39 per day per offender (and \$9,632 annually per offender) in adult local housing and \$83.23 per day per offender (and \$30,379 annually per offender) in a state facility.

REVENUE EXPLANATION

There will be an indeterminable decrease in self-generated revenue to DPS&C - Probation & Parole to the extent any offender remains in custody longer and is not released on parole under proposed law than under current law.

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