



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **HB 321** HLS 23RS 547
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 1, 2023	6:50 AM	Author: VILLIO
Dept./Agy.: Attorney General, Caddo, EBR, Orleans Criminal Court		
Subject: Truth & Transparency in Louisiana's Criminal Justice System		Analyst: Daniel Druilhet

CRIMINAL/JUSTICE EG INCREASE LF EX See Note Page 1 of 2
 Creates the Truth and Transparency in the Louisiana Criminal Justice System Pilot Program

Proposed law creates the Truth and Transparency in the Louisiana Criminal Justice System Pilot Program. Proposed law requires the Clerks of Court for Caddo Parish, East Baton Rouge Parish, Orleans Criminal District Court, East Baton Rouge Parish Juvenile Court, Caddo Parish Juvenile Court, and Orleans Parish Juvenile Court to provide the public and the Louisiana Department of Justice secure, online access to minute entries involving all matters in criminal court and minute entries involving delinquent acts of juveniles 13 years of age or older accused of offenses considered crimes of violence (if committed by an adult) or second or subsequent felony-grade delinquent acts (if the juvenile has at least one prior adjudication of a felony-grade delinquent act). Proposed law provides the definition of minute entries. Proposed law exempts from disclosure any records that are sealed, include confidential information, or involve juvenile court proceedings that are not pertinent to any alleged delinquent offenses, release or continued custody of the delinquent, or adjudication or disposition. Proposed law exempts from disclosure medical records, mental health records, social records, and any records related to the victim of a crime. Proposed law places the obligation of expenses incurred by any state or local entity subject to the proposed law to be the obligation of that entity.

EXPENDITURES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

REVENUES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
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	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total						

EXPENDITURE EXPLANATION

Proposed law may result in an increase in local expenditures to the Clerks of Court for Caddo Parish, Caddo Parish Juvenile Court, East Baton Rouge Parish, East Baton Rouge Parish Juvenile Court, Orleans Parish Criminal District Court, and the Orleans Parish Juvenile Court. A detailed explanation of the impact to local expenditures in each entity follows.

Caddo Parish Clerk of Court/Caddo Parish Juvenile Clerk of Court

Proposed law may result in an increase of \$10,000 to \$20,000 in local expenditures in the Caddo Parish Clerk of Court and the Caddo Parish Juvenile Clerk of Court. The Caddo Parish Clerk of Court maintains all minute entry information for all juvenile cases filed in Caddo Parish, and any minute entries for records it currently stores are not accessible online. According to the Caddo Parish Clerk of Court, Software and Services (its program vendor) would be required to reprogram the Caddo Parish Clerk of Court website to ensure that the information requested is secure and available at no cost to the general public and Louisiana Department of Justice (Attorney General).

East Baton Rouge Parish Clerk of Court

Proposed law may result in an increase of \$52,000 in local expenditures from the East Baton Rouge Parish Clerk of Court (EBRCOC). According to the EBRCOC, free and secure access to adult criminal information would require changes to the online portal it currently uses, which would generate a one-time charge of \$50,000 from its program vendor and an increased ongoing maintenance charge of \$2,000 per fiscal year.

East Baton Rouge Parish Juvenile Clerk of Court

Proposed law may result in an increase of \$75,000 to \$90,000 in local expenditures in the East Baton Rouge Parish Juvenile Clerk of Court. The data for the East Baton Rouge Parish Juvenile Clerk of Court is currently stored on a custom IBM AS4000 system, and any minute entries for records currently stored within its existing system are not accessible online. The

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REVENUE EXPLANATION

Proposed law may result in a decrease in SGR from companies that currently purchase data dumps from the Caddo Parish Clerk of Court. Currently, the Caddo Parish Clerk of Court receives \$5,000 from companies that purchase subscriptions to its website and data dumps. Proposed law has the effect of eliminating any cost to access minute entries from the Caddo Parish

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<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>
<input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {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
 Interim Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

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\$75,000 to \$90,000 expenditure estimate consists of a one-time \$25,000 fee to build an export of minute entry information and a \$50,000 to \$65,000 cost for an import procedure into the system for the East Baton Rouge Parish Clerk of Court.

Orleans Criminal District Court

Proposed law may result in an increase in local expenditures for the Clerk for the Orleans Parish Criminal District Court. Currently, the Clerk for the Orleans Parish Criminal District Court (COPCDC) does not offer online access to any of its minute entry information to the public. According to the Clerk, there is currently an ongoing process of negotiations for a new case management system with Software and Services, one which is similar to the system currently in use by the EBRCOG. The COPCDC anticipates expenditures of \$75,000 to \$90,000 to implement the requirements of proposed law.

Orleans Parish Juvenile Clerk of Court

The Legislative Fiscal Office (LFO) anticipates an increase in local expenditures for the Clerk of Court for the Orleans Parish Juvenile Court. The LFO has requested details from the Clerk on costs to export minute entry information from equipment it uses to store this information and costs to establish a secure online system for access to minute entries for cases to both the public and AG. As of this writing, the Clerk of Court for the Orleans Parish Juvenile Court has not provided information related to this inquiry, but the LFO will report any additional information as it becomes available.

[CONTINUED FROM PAGE ONE - REVENUES]

Clerk of Court's website, which would eliminate any revenues generated from costs assessed to access its data.

East Baton Rouge Parish Clerk of Court

Proposed law may result in a decrease in local revenue to the EBRCOG from companies and consumers that currently pay to access adult criminal information online. According to the EBRCOG, bulk data sold to consumers currently generates \$48,000 per year for the EBRCOG, and the EBRCOG estimates that 20% of its current online subscribers purchase subscriptions to access criminal information online (which is equivalent to \$174,346). By eliminating the costs for data dumps and online subscriptions with proposed law, EBRCOG estimates that it will lose annual local revenues of \$222,846.

Note: The Clerk of Court for the Orleans Criminal District Court and Orleans Parish Juvenile Clerk of Court do not maintain websites where individual subscriptions or bulk data dumps are made available at a cost to access any minute entry information the respective clerks' offices may manage. There is no anticipated direct material effect on local governmental revenues for the respective clerks' offices with enactment of the proposed law.

Senate Dual Referral Rules
[X] 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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