



**LEGISLATIVE FISCAL OFFICE  
Fiscal Note**

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

<b>Date:</b> May 26, 2023	8:17 AM	<b>Author:</b> VILLIO
<b>Dept./Agy.:</b> Attorney General, Caddo, EBR, Orleans Criminal Court		
<b>Subject:</b> Truth & Transparency in Louisiana's Criminal Justice System		<b>Analyst:</b> Daniel Druilhet

CRIMINAL/JUSTICE RE 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 or summaries thereof involving all matters in criminal court and minute entries or summaries thereof involving delinquent acts of juveniles accused of an enumerated list of crimes. Proposed law provides the definition of minute entries. Proposed law requires the Department of Justice (AG) to establish a publicly accessible website or online portal that provides access to minute entries and exempts from disclosure certain juvenile records (school records, sealed records, confidential information, etc.). Proposed law exempts from disclosure medical records, mental health records, social records, and any records related to the victim of a crime. Proposed law provides for the duties and obligations of the impacted Clerks of Court regarding compliance deadlines. Proposed law provides that it shall only become effective when an Act of the legislature committing an appropriation of monies for implementation of the provisions of proposed law becomes effective. Proposed law ceases to exist July 1, 2025, unless otherwise extended by the legislature.

EXPENDITURES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	\$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	INCREASE	INCREASE	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>			<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

REVENUES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
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	DECREASE	DECREASE	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>			<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**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

Continued on Page 2

<p><u>Senate</u></p> <p><input checked="" type="checkbox"/> 13.5.1 &gt;= \$100,000 Annual Fiscal Cost {S &amp; H}</p> <p><input type="checkbox"/> 13.5.2 &gt;= \$500,000 Annual Tax or Fee Change {S &amp; H}</p>	<p><u>Dual Referral Rules</u></p>	<p><u>House</u></p> <p><input type="checkbox"/> 6.8(F)(1) &gt;= \$100,000 SGF Fiscal Cost {H &amp; S}</p> <p><input type="checkbox"/> 6.8(G) &gt;= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}</p>
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*Evan Brasseaux*  
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 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 EBRCCOC. The COPCDC anticipates expenditures of \$75,000 to \$90,000 to implement the requirements of proposed law.

Orleans Parish Juvenile Clerk of Court

Proposed law may result in an increase in local expenditures to the Orleans Parish Juvenile Clerk of Court (OPJCOC). The OPJCOC estimates that it will cost \$45,000 to implement provisions of proposed law along with an increase in annual maintenance costs of \$8,100. According to the OPJCOC, its vendor DigiComm advised that the initial cost of \$45,000 is associated with exporting minute entry information from equipment that is currently used to store it and establish a secure online system for its access to the public and AG. The OPJCOC estimates that it will expend \$8,100 annually in maintenance costs to ensure secure online access of minute entry information to the the public and AG.

[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 EBRCCOC from companies and consumers that currently pay to access adult criminal information online. According to the EBRCCOC, bulk data sold to consumers currently generates \$48,000 per year for the EBRCCOC, and the EBRCCOC 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, EBRCCOC 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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