



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **SB 10** SLS 242ES 25
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: February 17, 2024 6:21 PM **Author:** CATHEY
Dept./Agy.: Corrections **Analyst:** Daniel Druilhet
Subject: Diminution of Sentence Earned - Death of a Peace Officer

CRIME/PUNISHMENT OR INCREASE GF EX See Note Page 1 of 1
 Reduces good time earned by prisoners sentenced for the death of a peace officer or first responder. (gov sig) (Item #2)

Current law provides that an offender convicted of a felony, except an offender convicted of a second time of a crime of violence, or a fourth or subsequent non-violent felony offense, earns a diminution of his sentence of imprisonment at a rate of 13 days for every seven days in custody, including time spent prior to sentencing.

Proposed law amends current law by adding an exception, which reduces the rate of diminution of sentence of imprisonment for an offender who is convicted in the death of a peace officer or first responder to a rate of one day for every 30 days in custody.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						
REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						

EXPENDITURE EXPLANATION

Proposed law will likely result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPSC – CS), to the extent that the rate of diminution of sentence of imprisonment for a specific class of offenders convicted of a felony. Proposed law will result in longer periods of incarceration for the class of offenders who are convicted of the death of a peace officer or first responder.

Proposed law creates an exception to current law, which changes the rate of diminution of sentence for those who are convicted in the death of a peace officer or first responder to 1 day of credit earned for every 30 days of good behavior (requiring those convicted to serve 97% of the sentence imposed), as opposed to the current sentence diminution rate of 65% - 75% for other classes of felony offenders. The exact fiscal impact of the passage of this legislation is indeterminable, since it is prospective, and it is not known how many persons will be convicted of crimes involving the death of peace officers or first responders in the future as a result of this change to current law.

SGF expenditures will increase by \$107.60 per offender per day to the extent that an offender is convicted and then housed in a state facility or \$26.39 per offender per day for an offender housed in a local facility. An offender in the custody of the DPSC – CS for one year would increase expenditures by \$39,274 (\$107.60 per day x 365 days) if housed in a state facility and \$9,632.35 (\$26.39 per day x 365 days) if housed in a local facility.

REVENUE EXPLANATION

There will be an indeterminable decrease in self-generated revenue to DPS&C – Probation and Parole to the extent any offender is required to serve a longer sentence pursuant to proposed law. The current daily parole supervision rate for adult offenders is \$5.43 per day, which would result in an annual loss of \$1,981.95 (\$5.43 x 365) in parole supervision SGR for each adult offender.

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}


Patrice Thomas
Deputy Fiscal Officer