



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 413** SLS 24RS 818
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

| | | |
|--|---------|---------------------------------|
| Date: April 16, 2024 | 8:46 AM | Author: MILLER, G. |
| Dept./Agy.: Corrections | | |
| Subject: Prohibits Early Termination of Parole for Certain Offenses | | Analyst: Daniel Druilhet |

CRIME/PUNISHMENT EG SEE FISC NOTE GF EX See Note Page 1 of 1
 Prohibits early termination of probation and parole for certain offenses. (8/1/24)

Current law provides that with the exception of a defendant who is required to enter and complete a reentry court program as a condition of parole and is not eligible to earn compliance credits to terminate parole, every offender on parole for an offense other than a crime of violence or sex offense shall earn a diminution of parole term by good behavior on parole at a rate of 30 days for every full calendar month on parole; provides that a court may terminate probation at any time as satisfactorily completed, upon final determination that the defendant is in compliance with the terms and conditions of probation; in a felony case, the court may terminate the defendant's probation, early or as unsatisfactory, and discharge him at any time after the expiration of one year of probation under certain conditions. Proposed law adds operating a vehicle while intoxicated, vehicular homicide, vehicular negligent injuring, and first degree negligent injuring as crimes for which offenders on parole cannot earn a diminution of parole (earned compliance credits) toward termination of parole; effective 8/01/24.

| EXPENDITURES | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 5 -YEAR TOTAL |
|---------------------|------------|------------------|------------------|------------------|------------------|---------------|
| State Gen. Fd. | \$0 | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | \$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 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Annual Total | \$0 | | | | | \$0 |

| 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. | \$0 | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | \$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 | \$0 | | | | | \$0 |

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in SGF expenditures to the Department of Safety and Corrections - Probation and Parole. Proposed law has the effect of removing the ability to earn diminution of parole for those convicted of operating a vehicle while intoxicated, vehicular homicide, vehicular negligent injuring, and first degree negligent injuring. DPS&C-CS will incur expenditures to the extent that those convicted of the crimes included within the proposed law remain on parole supervision for a longer period of time with DPS&C, due to becoming ineligible to obtain earned compliance credits toward termination of parole. For any period of time in which the offender's parole is extended, an increase in revenue generated from the collection of parole supervision fines and fees is anticipated to offset any increase in expenditures. Given that changes to this specific class of offenders not being eligible to earn compliance credits toward termination of parole will only apply effective 8/01/24, the LFO assumes the first expenditure exposure to likely occur in FY 26.

For informational purposes, DPS&C-CS reports the following regarding the number of offenders currently earning compliance credits toward early termination of parole relative to the offenses for which they were released and placed on parole supervision:

| Crime | Number on Parole Supervision |
|---------------------------------------|------------------------------|
| Operating a Vehicle While Intoxicated | 472 |
| Vehicular Negligent Injuring | 5 |
| First Degree Negligent Injuring | 42 |

The LFO is working to get statistical information for the number of offenders convicted of vehicular homicide currently earning compliance credits toward termination of parole, and that information will be provided as it becomes available.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in self-generated revenue to DPS&C - Probation and Parole to the extent any offender remains on parole supervision longer and has his ability to earn compliance credits toward termination of parole eliminated. The current daily parole supervision rate for adult offenders is \$5.43 per day, which would result in an annual increase of \$1,981.95 (\$5.43 x 365) per offender in parole supervision SGR.

| Senate | Dual Referral Rules | House |
|---|---------------------|--|
| <input 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} |


Patrice Thomas
 Deputy Fiscal Officer