

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 864** HLS 24RS 2116
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action: **W/ SEN FLOOR AMD**
 Proposed Amd.:
 Sub. Bill For.:

Date: May 15, 2024	8:49 AM	Author: GREEN
Dept./Agy.: Courts		Analyst: Daniel Druilhet
Subject: Drug Division Probation Program		

COURTS REF NO IMPACT See Note Page 1 of 1
 Provides relative to the drug division probation program

Current law provides for a drug division probation program and eligibility and participation requirements; permission provided to the DA to propose individual screening for and relevant information from defendants eligible to participate in drug treatment division probation programs; right of representation for defendants at all stages of a criminal prosecution in any court hearing related to the drug division program, during negotiations to determine eligibility to participate in the drug division program, at the time of execution of the probation agreement, and any hearing to revoke the defendant's probation and discharge him; program eligibility requirements; mandates that each district court that establishes a drug division to adopt written policies for implementation of that division and its programs, evaluate its effectiveness, and submit an annual report to the judicial administrator of the Supreme Court. Proposed law permits the drug division program or DA to request relevant information from the individual defendant; mandates that a defendant undergo clinical screening by a staff member of the drug division probation program knowledgeable in specialty court clinical suitability; mandates that the defendant agree to participate in the program; makes technical changes in guidelines; mandates each drug division develop a method of screening and assessment for effectiveness and compile it annually and transmit it to the judicial administrator of the Supreme Court.

EXPENDITURES	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	\$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	\$0	\$0	\$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	\$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	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

The Louisiana Supreme Court Drug and Specialty Court Office advises that the proposed legislation updates current law on drug division probation programs to integrate current drug treatment court best practices, and that drug treatment court programs have already incorporated those practices. Considering that best practices contemplated by the proposed law have already been incorporated into drug and specialty courts, there will be no material effect on governmental expenditures with its enactment.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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