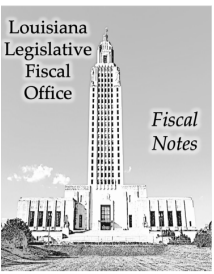


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 277** HLS 25RS 914
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

| | | |
|--|---------|---------------------------------|
| Date: May 13, 2025 | 2:15 PM | Author: JORDAN |
| Dept./Agy.: State Public Defender, District Attorneys, and Sheriffs | | Analyst: Daniel Druilhet |
| Subject: Pre-Trial Procedures | | |

CRIMINAL/PROCEDURE OR INCREASE GF EX See Note Page 1 of 2
 Provides relative to certain pretrial procedures

Current law provides for rules governing first appearances, assignment of defense counsel, bail determinations, preliminary examinations, time restrictions on bills of information and indictment, examinations of witnesses, procedures governing the right to a speedy trial, and issuance and service of subpoenas. Proposed law provides upon a determination of a defendant's indigency, the defendant has the right to have the court appoint counsel to defend him from his initial appearance until the case's conclusion, and that he can preserve his request for a preliminary examination in writing prior to an indictment; requires a court to appoint qualified counsel to represent an arrested indigent person at the preliminary examination, and a copy of the preliminary examination proceedings to be provided to the state or defense counsel upon written motion; reduces the time for an indictment or information to be filed when a defendant is in continued custody subsequent to an arrest from 30 days of the arrest to five days of an arrest (if being held for a misdemeanor), and from 60 days of the arrest to 15 days of the arrest (if being held for a felony), and from 120 days to 30 days of the arrest (if being held for a felony for which the punishment may be death or life imprisonment), and within 60 days of the arrest (if not in continued custody subsequent to arrest for a felony for which punishment may be death or life imprisonment).

| EXPENDITURES | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 2029-30 | 5 -YEAR TOTAL |
|---------------------|-----------------|-----------------|-----------------|-----------------|-----------------|---------------|
| State Gen. Fd. | INCREASE | INCREASE | INCREASE | INCREASE | INCREASE | |
| Agy. Self-Gen. | INCREASE | INCREASE | INCREASE | INCREASE | INCREASE | |
| 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 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 2029-30 | 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

Office of the State Public Defender/District Defenders

Proposed law will result in an increase of \$3.5 M (\$1.8 M SGF, \$10,370 SGR, and \$1.7 M Local Funds) expenditures in the office of the State Public Defender and local district defenders, for additional line defenders, supplemental compensation for existing attorney contracts and additional staff for the adjustments made to procedural timelines for arraignment and representation at first appearance. The proposed law is projected to have a significant impact on workload and associated expenditures in district defender offices, as follows:

Representation at First Appearance

| Item | Quantity | Cost |
|---|----------|--------------------|
| New Line Defenders Required | 35 | \$1,896,000 |
| Supplemental Compensation for Existing Attorney Contracts | 2 | \$ 24,000 |
| Subtotal | | \$1,920,000 |

Arraignment Held within Seven Business Days

| Item | Quantity | Cost |
|---|----------|--------------------|
| New Line Defenders Required | 25 | \$1,434,500 |
| Supplemental Compensation for Existing Attorney Contracts | 5 | \$ 60,000 |
| Staff | 1 | \$ 42,000 |
| Subtotal | | \$1,536,500 |
| Total | | \$3,456,500 |

District Attorneys

Proposed law will result in a significant increase in workload and related expenditures in district attorneys' offices associated with a projected increase in manpower needed to comply with contracted timeframes for the institution of prosecution and adjustments made to the timeframe for various court appearances and the speedy trial motion. Proposed law has the effect of decreasing the procedural timelines for cases prosecuted, which may result in a higher number of cases processed in a contracted amount of time, necessitating additional staff. The exact fiscal impact to local district attorneys is indeterminable, as it is unknown the impact to the volume and frequency of motions and related hearings impacted under the proposed law. [CONTINUED ON PAGE TWO]

REVENUE EXPLANATION

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

Senate
 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



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CONTINUED EXPLANATION from page one:

[CONTINUED FROM PAGE ONE]

Proposed law may result in an indeterminable increase in workload and associated Local Funds expenditures for district courts, to the extent that the institution of prosecution and adjustments made to various court appearances and the speedy trial motion result in a higher volume of cases processed in district courts in a shorter timeframe. Proposed law has the effect of decreasing the procedural timelines for cases prosecuted, which may result in logistical adjustments within district courts necessitating additional staff to process filings and schedule hearings. The exact fiscal impact within district courts is indeterminable, as it is unknown the impact to the volume and frequency of motions and related hearings impacted under the proposed law

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