

LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 95** SLS 25RS 303
Bill Text Version: **REENGROSSED**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.:

Date: May 23, 2025	10:09 AM	Author: CLOUD
Dept./Agy.: Corrections and Juvenile Justice		
Subject: Electronic Monitoring		Analyst: Daniel Druilhet

CRIMINAL PROCEDURE RE SEE FISC NOTE GF EX Page 1 of 2
Provides for electronic monitoring. (8/1/25)

Current law provides for notification standards for electronic monitoring services to bail agents and courts relative to violations; provides for fines assessed and imprisonment terms for electronic monitoring providers in violation of reporting requirements. Proposed law adds the district attorney (DA) for the parish of prosecution or the Attorney General if acting as the DA ad hoc, as a party to be notified by electronic monitoring services within 24 hours of a violation; changes penalties for violation of current law from \$1,000 and imprisonment not to exceed six months to \$1,000 per day (not to exceed \$10,000 per instance or individual monitored) or imprisonment not to exceed six months; provides that upon a finding of noncompliance, the court may, either on its own motion, or that of the DA, issue a warrant for the arrest of a person subject to electronic monitoring; assesses no more than a \$500 fine, or no more than six months imprisonment, or both, for those on electronic monitoring who enter or fail to immediately exit an exclusion zone or violate a curfew order, and a fine of no more than \$1,000, and one year of imprisonment at hard labor, for those who commit a felony or a felony crime of violence while on electronic monitoring; requires a court to terminate a person’s participation in an electronic monitoring program and remand him to state custody (or to the appropriate pre-trial facility for juveniles) after a third finding of noncompliance with electronic monitoring.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections - Corrections Services, to the extent that persons are convicted of committing a felony or a felony crime of violence while under electronic monitoring supervision. The exact fiscal impact of the passage of this legislation is indeterminable, since it creates a crime, and it is not known how many people will be convicted nor the length of the sentences assessed with those convictions as a result of its potential enactment. Proposed law (committing a a felony or felony crime of violence while under electronic monitoring services) is a felony.

For those convicted, sentenced, and then subsequently housed in a state facility, DPS&C-CS will sustain expenditures of \$107.60 per offender per day. For those housed in local facilities, DPS&C-CS will sustain expenditures of \$26.39 per offender per day. DPS&C-CS advises that impacts on offender populations are anticipated to impact the number of offenders held in local facilities, and that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities.

Proposed law may result in an increase in Local Funds expenditures for local governing authorities if a person is convicted of entering or failing to immediately exit an exclusion zone or violating a curfew order while on electronic monitoring supervision. The exact fiscal impact of this legislation to local governing authorities is indeterminable, because it is not known how many people will be convicted and incarcerated in local facilities, nor the length of the sentences assessed with those convictions as a result of its potential enactment. Proposed law (entering or failing to immediately exit an exclusion zone or violating a curfew order while under electronic monitoring supervision) is a misdemeanor. The maximum imprisonment term at the local level is no more than six months.

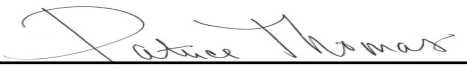
Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections, to the extent that those persons arrested pursuant to a warrant issued for noncompliance with electronic monitoring restrictions are returned to the custody of the Department of Public Safety & Corrections - Corrections Services. Proposed law has the effect of returning to custody those arrested pursuant to a warrant for noncompliance with electronic monitoring restrictions until a hearing is conducted to determine if the person will comply with all electronic monitoring restrictions and orders courts to terminate a person’s participation in electronic monitoring after his third noncompliance hearing. The exact fiscal impact to DPS&C-CS is indeterminable, as it is unknown the number of those persons currently under Probation and Parole Supervision and subject to electronic monitoring that would be subject to hearings and subsequent return to the custody of Corrections for noncompliance with the proposed law.

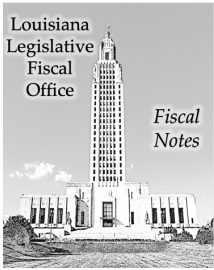
[CONTINUED ON PAGE TWO]

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of committing a felony, a felony crime of violence, entering or failing to immediately exit an exclusion zone, or violating a curfew order while under electronic monitoring supervision. The exact fiscal impact on local revenue is indeterminable because the fines imposed on those convicted are, in some cases, optional, and the amount of the fines imposed may vary. The potential revenue will accrue to the local governing authority.

[CONTINUED ON PAGE TWO]

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



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CONTINUED EXPLANATION from page one: Page 2 of 2

[CONTINUED FROM PAGE ONE - EXPENDITURE EXPLANATION]

To the extent that those persons on electronic monitoring are returned to the custody of the Department of Public Safety and Corrections-Corrections Services (DPS&C-CS) after a third finding of noncompliance with electronic monitoring restrictions, DPS&C-CS will sustain an indeterminable increase in expenditures. For those returned to the custody of a state facility, DPS&C-CS will sustain expenditures of \$107.60 per offender per day. For those returned to the custody of local facilities, DPS&C-CS will sustain expenditures of \$26.39 per offender per day. DPS&C-CS advises that impacts on offender populations are anticipated to impact the number of offenders held in local facilities, and that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities. Conversely, for each person returned to the custody of the DPS&C-CS, the Department of Public Safety & Corrections - Probation and Parole will sustain a reduction in expenditures of \$6.16 per day per offender.

Note: There are currently 535 persons currently under Probation or Parole supervision who are subject to electronic monitoring. The Department of Public Safety and Corrections contracts with a third-party provider for electronic monitoring of 535 persons currently under the supervision of Probation and Parole. DPS&C-Probation and Parole reports an annual average of \$269,969 in expenditures over the past four years related to electronic monitoring of persons under the supervision of probation and parole (with year-to-date expenditures in FY 25 of \$168,455).

Local Sheriffs

Proposed law may result in an indeterminable increase in Local Funds expenditures to Sheriffs, to the extent that those persons released on bail, with electronic monitoring as a condition of bail, are returned to the custody of local Sheriffs for noncompliance with electronic monitoring restrictions. The exact fiscal impact to Sheriffs is indeterminable, as it is unknown the number of those persons currently and in the future who will be released on bail subject to electronic monitoring restrictions that will be returned to the custody of local Sheriffs for noncompliance with those restrictions.


Local Governments

Proposed law may result in an indeterminable increase in Local Funds expenditures to local governing authorities, to the extent that juveniles are returned to the custody of the appropriate pre-trial facility after a third finding of noncompliance with electronic monitoring restrictions. The exact fiscal impact to local governing authorities is indeterminable, as it is unknown the number of juveniles that will be returned to pre-trial facilities after a third finding of noncompliance with electronic monitoring restrictions.

Note: The Office of Juvenile Justice (OJJ) currently contracts with a third-party provider for electronic monitoring of approximately 180 juveniles via ankle monitors and wristband-style monitors.

[CONTINUED FROM PAGE ONE - REVENUE EXPLANATION]

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of electronic monitoring services providers who intentionally withhold or intentionally fail to timely report electronic monitoring information. The exact fiscal impact on local revenue is indeterminable because while the fine imposed for violation of proposed law increases from no more than \$1,000 to no more than \$1,000 per day for each violation (not to exceed \$10,000 per instance or individual monitored), it is unknown the number and duration of violations that would result in daily fines imposed. The potential revenue will accrue to the local governing authority.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>	
<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}	Patrice Thomas
<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}	Deputy Fiscal Officer