

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 219** HLS 26RS 321  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

**Date:** May 4, 2026 5:54 PM **Author:** OWEN, CHARLES  
**Dept./Agy.:** District Attorneys, Public Defender, and Judiciary **Analyst:** Daniel Druilhet  
**Subject:** Post-Conviction Relief & Parole-Non-Unanimous Jury

CRIMINAL/PROCEDURE OR INCREASE LF EX See Note Page 1 of 2  
 Provides relative to post-conviction relief or parole when a verdict is rendered by a non-unanimous jury

Proposed law provides that those defendants having non-unanimous jury convictions, who received the maximum allowable sentence under the law, have an opportunity for review of their sentence for a determination of whether they received an excessive sentence; provides that it applies to any defendant presently serving a sentence of imprisonment, whether incarcerated or on parole supervision, or a felony conviction returned by a non-unanimous jury verdict; provides that it does not apply to any conviction for which the imposed sentence has been fully served; provides that a defendant may seek review of a sentence by filing a motion for resentencing in the district court in which the conviction was obtained no later than 8/01/27; provides that the court may vacate a sentence or resentence a defendant; provides that for a movant still under sentence, if the court finds that he was convicted of a felony with a non-unanimous verdict, and the DA has not noticed an intent to retry the movant, the court shall order a resentencing hearing; provides procedural rules for providing notice of the resentencing hearing; provides for a rebuttable presumption that a new sentence no greater than the maximum term of imprisonment authorized at the time of conviction for the most serious lesser included offense of which the defendant could have been convicted is proper; allows for a rebuttable presumption by the DA; provides that no sentence imposed shall be enhanced nor used to enhance any prior conviction as a habitual offender, that the defendant shall receive full credit for all time served, and that the court may set provisions deemed appropriate regarding parole eligibility and may grant parole eligibility for any sentence that the court deems appropriate.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	

**Annual Total**

REVENUES	2026-27	2027-28	2028-29	2029-30	2030-31	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	\$0	\$0	\$0	\$0	\$0	\$0

**Annual Total**

**EXPENDITURE EXPLANATION**

Proposed law may result in an indeterminable decrease in SGF expenditures in the Department of Public Safety and Corrections-Corrections Service (DPS&C-CS), an indeterminable increase in Local Funds expenditures in district attorneys' offices, and an indeterminable increase in workload to district courts.

**Department of Public Safety and Corrections-Corrections Services**

Proposed law may result in an indeterminable decrease in SGF expenditures in the Department of Public Safety and Corrections-Corrections Services (DPS&C-CS), to the extent that after a hearing to either vacate or impose a new sentence (from a conviction derived from a non-unanimous jury verdict), any new sentence imposed is not greater than the maximum term of imprisonment authorized at the time of conviction for the most serious lesser included offense to which an offender could have been convicted. Proposed law has the effect of potentially reducing the sentence of an offender to the maximum penalty that he would have received for a lesser included offense, which may be less than the original sentence imposed for the original offense for which he was convicted. The exact fiscal impact is indeterminable, because it is unknown the number of instances in which those offenders who seek to vacate their original sentence (and be resentenced) will have their overall duration of incarceration reduced with the enactment of the proposed law.

Proposed law may also result in an indeterminable decrease in SGF expenditures in the DPS&C-CS, to the extent that courts grant parole eligibility for any sentence that it deems appropriate after a full resentencing hearing is conducted. Proposed law provides courts with the discretion to grant parole eligibility to those class of offenders whose verdicts were rendered non-unanimously who seek resentencing and are sentenced to a period of incarceration different from the original sentence imposed. The exact fiscal impact is indeterminable, because it is unknown the number of instances in which those offenders who seek to vacate their original sentence (and are resentenced) will have parole eligibility included with new sentences imposed.

For those offenders who are resentenced to the maximum penalty received for a lesser included offense (and that sentence is less than the original sentence imposed for the original offense for which he was convicted) or are granted parole eligibility upon resentencing, who are housed in a state facility, DPS&C-CS will sustain a reduction in expenditures (savings) of \$107.60 per offender per day. For those offenders who are resentenced to the maximum penalty received for a lesser included offense (and that sentence is less than the original sentence imposed for the original offense for which he was convicted) or are granted parole eligibility upon resentencing, who are housed in a local facility, DPS&C-CS will sustain expenditures of \$29.39 per offender per day. [CONTINUED ON PAGE TWO]

**REVENUE EXPLANATION**

Proposed law may result in an increase in Self-Generated Revenue to the Department of Public Safety and Corrections-Probation and Parole to the extent any offender is granted parole eligibility after a resentencing hearing granted from a review of a sentence imposed from a conviction from a non-unanimous jury and is placed under the supervision of DPS&C-Probation and Parole. The current daily parole supervision rate for adult offenders is \$6.67 per day, which may result in an annual increase of \$2,434 (\$6.67 x 365) in parole supervision SGR.

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



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CONTINUED EXPLANATION from page one:

[CONTINUED FROM PAGE ONE]

District Attorneys and District Courts

Proposed law will likely result in an indeterminable increase in Local Funds expenditures in district attorneys' offices and an indeterminable increase in workload in the district courts, to the extent that they experience an increase in the number of filings related to and preparation for resentencing hearings and retrials contemplated under the proposed law.

Note: Prior legislative testimony and information released suggests that between approximately 800 to 1,600 individuals may be included within the class of individuals whose verdicts were rendered non-unanimously by juries.

Senate Dual Referral Rules
[X] 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}

Signature of Patrice Thomas
Patrice Thomas
Deputy Fiscal Officer