

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



Fiscal Note On: **HB 319** HLS 13RS 941  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 27, 2013 7:36 AM	<b>Author:</b> HONORE
<b>Dept./Agy.:</b> Corrections	<b>Analyst:</b> Stephanie C. Blanchard
<b>Subject:</b> Juvenile Parole Eligibility	

JUVENILES OR DECREASE GF EX See Note Page 1 of 1  
 Provides relative to the sentencing and parole eligibility of juvenile offenders convicted of first or second degree murder

Present law provides that any offender who is convicted of committing first or second degree murder and who is under the age of 18 at the time of the commission of the offense shall be sentenced to life imprisonment at hard labor without the benefit of parole, probation, or suspension of sentence. Proposed law amends present law sentencing for juvenile offenders who are convicted of or entered a plea of guilty of first or second degree murder. It also provides that a sentencing hearing be held for these offenders relative to sentencing and parole eligibility. In some cases, parole eligibility may be granted or sentences may be for not more than 40 years, instead of the life sentences in present law.

Proposed law amends present law to allow any person serving a life sentence who was under 18 years old at the time of the commission of the offense of first degree murder or second degree murder shall be eligible for parole consideration upon serving 30 years of the sentence imposed and when certain conditions have been met.

<b>EXPENDITURES</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

The proposed legislation may result in an indeterminable decrease in state general fund expenditures. Offenders that are currently serving life sentences for first or second degree murder committed under the age of 18 would now be eligible for parole after serving 30 years of the sentence. For each offender that is released on parole, the state would recognize a savings of \$45.32 (\$47.74 per day - \$2.42 supervision per day) per day or \$16,542 (\$45.32 per day x 365 days) annually. Since the offenders are serving life, the offenders are incarcerated in a state facility.

According to the Department of Corrections, there are currently 36 offenders who were sentenced as a juvenile and are serving life without the benefit of parole, probation, or suspension of sentence for the crime of first or second degree murder. The average time served for these offenders is 35 years.

In addition, proposed law amends present law sentencing for juvenile offenders who are convicted of or entered a plea of guilty of first or second degree murder. A sentencing hearing will be held for these offenders relative to sentencing and parole eligibility. In some cases, parole eligibility may be granted or sentences may be for not more than 40 years, instead of the life sentences in present law. If the proposed legislation was passed and if all other conditions were met and these offenders were granted parole after 40 years, the state could show a possible savings of \$47.74 per offender per day or \$17,425 annually per offender for every year an offender would have served in accordance with present law.

**REVENUE EXPLANATION**

The proposed legislation may result in an increase in self-generated revenue. For each offender that is released to parole at an earlier date, the Department of Corrections could collect up to \$63 per month from each offender under parole supervision. It should be noted that the maximum amount paid per month is \$63 and the offender's ability and amount he is required to pay is determined by the Board of Parole.

<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) >= \$500,000 Annual Fiscal Cost {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}	

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