

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



Fiscal Note On: **HB 734** HLS 14RS 1371

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 3, 2014	10:17 AM	<b>Author:</b> BURRELL
<b>Dept./Agy.:</b> Corrections		<b>Analyst:</b> Stephanie C. Blanchard
<b>Subject:</b> Ameliorative penalty provision		

CRIMINAL/SENTENCING EG SEE FISC NOTE GF EX See Note  
Provides relative to ameliorative penalty provisions

Present law, relative to certain offenses, provides more lenient penalties for persons who committed, were convicted, or were sentenced for specified crimes on or after June 15, 2001. Provides that the more lenient penalty provisions provided in Act 403 of the 2001 Regular Legislative Session and Act 45 of the 2002 Extraordinary Legislative Session shall apply to those persons who committed, were convicted, or were sentenced prior to June 15, 2001.

Proposed law provides that persons who are eligible for consideration for such ameliorative relief pursuant to proposed law may apply to the committee on parole. Proposed law amends present law duties of the committee on parole to include evaluation of these applications and requires the secretary of the Department of Public Safety and Corrections to adopt and promulgate rules, regulations, and procedures to implement the provisions of proposed law.

<b>EXPENDITURES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</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 could result in a potential savings to the Department of Corrections. Present law, relative to certain offenses, provides more lenient penalties for persons who committed, were convicted, or were sentenced for specified crimes on or after June 15, 2001. Provides that the more lenient penalty provisions provided in Act 403 of the 2001 Regular Legislative Session and Act 45 of the 2002 Extraordinary Legislative Session shall apply to those persons who committed, were convicted, or were sentenced prior to June 15, 2001. Proposed law provides that persons who are eligible for consideration for ameliorative relief pursuant to proposed law may apply to the committee on parole. To the extent the committee on parole would reduce the length of time offenders are sentenced to incarceration; therefore, for each offender affected by the proposed legislation in the future (assuming the reduction in sentence is granted once the committee on parole evaluate the application for such relief) the state would realize a cost savings of \$21.85 per day (\$24.39 per day, per offender - \$2.54 per day per offender supervision) or \$7,975 annually for those in local facilities and \$49.97 (\$52.51 per day, per offender - \$2.54 per day per offender supervision) or \$18,239 annually for offenders in a state correctional facility.

Savings are more likely to be incurred for offenders housed at the local level due to state facilities backfilling beds in a more timely manner. Any savings may also be reduced by recidivism.

**REVENUE EXPLANATION**

The proposed legislation may result in an indeterminable increase in self-generated revenue as a result of offenders being released into parole supervision. 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.

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|---|----------------------------|--------------|--|
| <u>Senate</u>   | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       |                            |              | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {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} |

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**