

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 562** HLS 14RS 1217
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 9, 2014 8:44 AM **Author:** LOPINTO
Dept./Agy.: Corrections **Analyst:** Stephanie C. Blanchard
Subject: Reimbursing sheriffs for housing certain parolees

PUBLIC SFTY/CORRECTIONS EG INCREASE GF EX See Note Page 1 of 1
 Requires DPS&C to reimburse sheriffs for housing parolees who are arrested pending the parole revocation hearing

Present law provides that for any individual committed to the custody of the DPS&C who is housed in a parish jail or institution after final sentence, the department shall pay to each parish sheriff, or to the governing authority of those parishes in which the governing authority of those parishes in which the governing authority operates the parish jail, for keeping and feeding the individual in the parish jail the sum of \$24.39 per day. Such daily sum shall be paid from the date of sentencing until the individual is confined in a penal or correctional institution under the supervision of the department. Provides that the parish governing authority shall provide the sheriff with a per diem for each prisoner of not less than \$3.50 to defer the costs of keeping and feeding of prisoners in jail. Proposed law retains present law and requires DPS&C to reimburse sherriffs for the housing of persons committed to the custody of the department who are released on parole and are subsequently arrested at the following rates: for FY 15, at a rate of 50% of an amount equal to the rate of reimbursement provided by DPS&C to the sheriffs and for FY 16 and thereafter, at an amount equal to the rate of reimbursement provided by DPS&C, pursuant to present law less the sum of any monies received from the parish governing authority for the purpose of housing such persons pursuant to present law. The provisions of this Act shall be effective upon the appropriation of funds for such purpose.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total						

REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation will increase state general fund expenditures of the Department of Public Safety and Corrections, Corrections Services (DSP&C) by an indeterminable amount as it adjusts the existing agreement between the department and the sheriffs for the housing of persons committed to the custody of the department who are released on parole and subsequently arrested. Present law provides that for any individual committed to the custody of DPS&C who is housed in a parish jail or institution after final sentence, the department shall pay each parish sheriff, or to the governing authority of those parishes in which the governing authority operates the parish jail, for keeping and feeding the individual in the parish jail the sum of \$24.39 per day. Such daily sum will be paid from the date of sentencing until the individual is confined in a penal or correctional institution under the supervision of the department. Proposed law retains present law and provides that the sheriff will also be reimbursed by the department at the same rate, less the sum of any monies received from the parish governing authority for the purpose of housing such persons, for any person committed to the department who is released on parole and who is subsequently arrested and housed in a parish jail from the time of arrest until the person either pleads guilty to the subsequent charge or until the committee on parole makes its determination regarding parole revocation.

The cost per day that would be reimbursed by the department would be \$20.89 (\$24.39 per day, per offender for normal rate - \$3.50 per day, per offender paid by the local governing authority). Therefore, for any offender in the future meeting the criteria set forth, and housed at the local level pursuant to proposed legislation, it would cost the state \$7,625 annually (\$20.89 per day per offender x 365 days). On any given day, the DPS&C estimates that an average of 2,000 offenders within the system that would qualify for such reimbursement pursuant to proposed legislation. The proposed legislation provides for a reimbursement rate of 50% in FY 15 and at an amount equal to the rate of reimbursement provided by DPS&C pursuant to present law less the sum of any monies received from the parish governing authority for the purpose of housing such persons pursuant to present law in FY 16 and thereafter. Consequently, the maximum liability for such reimbursement could increase costs to DPS&C by approximately \$7.6 million in FY 15 and \$15.25 million per year thereafter (\$20.89 per day x 2,000 x 365 days).

Note: A House Committee Amendment provided \$7 million in HB 1 for this purpose in the event this legislation passes.

REVENUE EXPLANATION

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

Senate Dual Referral Rules House 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S} *Evan Brasseaux*
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} **Evan Brasseaux**
Staff Director