

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 149** HLS 19RS 556
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: June 4, 2019 3:05 PM	Author: MARINO
Dept./Agy.: Public Safety and Corrections	Analyst: Monique Appeaning
Subject: Provisions Impacting Individuals on Parole	

PAROLE EN SEE FISC NOTE GF EX See Note Page 1 of 2
 Provides relative to various provisions affecting parole

Proposed law provides that specific offenders sentenced under present law shall not be eligible for parole, nor earn "good-time", or additional "good-time" credits for participation in specific certified treatment and rehabilitation programs while in the program of reentry courts. Proposed law provides for specific prisoners released because of diminution of sentence under present law on or after 8/1/20, the committee on parole may impose special conditions of supervision which include participation in additional programming by the prisoner as determined to be necessary by a validated risk-assessment tool approved by the department. Proposed law provides when granting parole of a prisoner who was sentenced as a habitual offender under present law, if the committee on parole determines that it is necessary for the prisoner to participate in a work release program established under present law, the release date may be extended to no later than one year after the parole hearing or the most recent reconsideration of the prisoner's case. Proposed law provides that for fourth or subsequent violations, the court may order that the parole be revoked, in accordance with present law. Proposed law repeals provisions in present law that provides specific offenders be released on administrative parole on the offender's parole eligibility date without a hearing before the committee if certain conditions are met. This legislation repeals provisions relative to intensive parole supervision.

EXPENDITURES	2019-20	2020-21	2021-22	2022-23	2023-24	5 -YEAR TOTAL
State Gen. Fd.	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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						
REVENUES	2019-20	2020-21	2021-22	2022-23	2023-24	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>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable SGF expenditure increase for the Department of Public Safety and Corrections - Correction Services (DOC) as a result of multiple changes to statutory provisions regarding parole, diminution of sentence, and earning of "good-time." The provisions of proposed law may impact SGF expenditures under certain sections of law and under certain circumstances. The net impact is indeterminable.

Proposed law may result in an indeterminable increase in SGF expenditures for the Department of Public Safety and Corrections - Correction Services if a parolee has committed a fourth or subsequent technical violation. The maximum imprisonment term is 90 days. SGF expenditures will increase by \$60.09 per offender per day if an offender is housed in a state facility or \$24.39 for a state offender housed in a local facility. An offender sentenced to the custody of the Department of Public Safety and Corrections - Correction Services for one year would increase SGF expenditures by \$21,992.03 (\$60.09 per day x 366 days) if housed in a state facility and \$8,926.74 (\$24.39 per day x 366 days) if housed in a local facility.

Proposed law provides that specific offenders sentenced under present law shall not be eligible for parole, nor earn "good-time", or additional "good-time" credits for participation in specific certified treatment and rehabilitation programs while in the program of the reentry courts. **Proposed law may increase SGF expenditures to the extent that individual offenders may lose opportunity for early release due to ineligibility to earn "good-time" credits while in certain programs. The expenditure impact is indeterminable and based on the number of offenders impacted.**

Proposed law provides that for specific prisoners released because of diminution of sentence under present law on or after August 1, 2020, the committee on parole may impose special conditions of supervision, which include participation in additional programming by the prisoner as determined to be necessary by a validated risk-assessment tool approved by the department. **To the extent individuals are impacted, proposed law will not result in an increase in SGF expenditures. Risk assessment tools are already available and developed by Correction Services and the offender is currently under the custody of the state.**

Proposed law provides when granting parole of a prisoner who was sentenced as a habitual offender under present law, if the committee on parole determines that it is necessary for the prisoner to participate in a work release program established under present law, the release date may be extended to **a maximum of one year** after the parole hearing or the most recent reconsideration of the prisoner's case, **instead of a maximum nine months.**

EXPENDITURE EXPLANATION CONTINUED ON PAGE TWO

REVENUE EXPLANATION

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

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}

Evan Brasseaux
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Staff Director

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CONTINUED EXPLANATION from page one:

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EXPENDITURE EXPLANATION CONTINUED FROM PAGE ONE

Proposed law may impact SGF expenditures due to decisions made by the committee on parole with regard to participation in a work release program. The expenditure impact is indeterminable and based on the number of offenders and program participation.

Proposed law repeals provisions in **present law** that provide specific offenders be released on administrative parole on the offender's parole eligibility date without a hearing before the committee if certain conditions are met. **This provision is not anticipated to result in a material change in SGF expenditures.**

Proposed law repeals specific provisions of intensive parole supervision for certain habitual offenders. This legislation may not result in an expenditure impact as provisions in **present law** provide guidance for intensive parole supervision for certain habitual offenders.

Under parole requirements for certain sex offenders, **proposed law** eliminates intensive parole supervision and adds intensive incarceration program. This may result in an indeterminable increase in SGF expenditures to the extent a person previously on parole supervision and will now be in an intensive incarceration program. SGF expenditures will increase by \$60.09 per offender per day if an offender is housed in a state facility or \$24.39 for a state offender housed in a local facility. An offender sentenced to the custody of the Department of Public Safety and Corrections - Correction Services for one year would increase SGF expenditures by \$21,992.03 (\$60.09 per day x 366 days) if housed in a state facility and \$8,926.74 (\$24.39 per day x 366 days) if housed in a local facility.

Proposed law changes the "parole; intensive parole supervision" part of **present law** to the intensive incarceration program. **Proposed law** makes specific technical and non-technical changes to specific areas throughout this part of **present law**. The provisions of **proposed law** may impact SGF expenditures under certain sections of law and under certain circumstances. The net impact is indeterminable.

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}

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