

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 191** HLS 15RS 772

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

REVISED

| | | |
|--|---------|-----------------------------------|
| Date: May 14, 2015 | 9:39 AM | Author: COX |
| Dept./Agy.: Corrections | | Analyst: Monique Appeaning |
| Subject: Inmate Infectious Disease Testing Before Release | | |

PAROLE EG +\$17,586 FF EX See Note Page 1 of 1
Provides relative to certain infectious disease testing of inmates released from state prison facilities

Proposed legislation requires that all inmates paroled from state-operated prison facilities and state privately operated prison facilities shall be offered "opt out" testing for the human immunodeficiency virus (HIV), prior to release, unless the inmate is known to be HIV positive or had a documented HIV test within the previous twelve months prior to release

| EXPENDITURES | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 5 -YEAR TOTAL |
|---------------------|-----------------|-----------------|-----------------|-----------------|-----------------|----------------------|
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$17,586 | \$17,586 | \$17,586 | \$17,586 | \$17,586 | \$87,930 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Annual Total | \$17,586 | \$17,586 | \$17,586 | \$17,586 | \$17,586 | \$87,930 |

| REVENUES | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 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 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

EXPENDITURE EXPLANATION

This legislation will increase expenditures for the Department of Public Safety and Corrections (DPS&C) by approximately \$17,586 annually. While current law states (R.S. 15:574.4.4 G(4)), "the cost associated with this testing shall be paid by the person tested", the DPS&C reports that it currently pays for the testing for offenders. In fiscal year 2014, the total number of offenders paroled was 3,332. Of that number, 401 were tested prior to being paroled based on current law. The proposed law would now require testing of the remaining number of offenders (2,931) prior to being paroled. The cost for the Human Immunodeficiency Virus (HIV) test is \$6.00 each. Therefore, the total cost to test is \$17,586 (2,931 x \$6.00). To the extent offenders "opt out", the costs will be reduced accordingly.

The DPS&C - Corrections Services medical doctor testified on May 6, 2015 at the House Administration of Criminal Justice Committee meeting that Corrections currently partners with the Office of Public Health to provide testing. He further testified that the funding comes from a grant the Office of Public Health receives from the Center for Disease Control. However, the LFO has not been able to obtain documentation to confirm this partnership and the available level of funding.

NOTE: The source of funds for these costs is anticipated to be a transfer of federal funds from the Office of Public Health (DHH).

REVENUE EXPLANATION

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

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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 Rev. Red. to State {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
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Staff Director