

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 254** HLS 21RS 246

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 2, 2021	5:15 PM	Author: NELSON
Dept./Agy.: Corrections - Juveniles		Analyst: Rebecca Robinson
Subject: Parole eligibility for juveniles		

JUVENILES OR DECREASE GF EX See Note
Provides relative to parole eligibility for juvenile offenders

Proposed law provides if any person is convicted of first or second degree murder and was under the age of eighteen years of age at the time of the commission of the offense, the offender shall be punished by life imprisonment at hard labor without the benefit of probation or suspension of sentence. Proposed law provides any person serving a term of imprisonment of 25 years or more and the offender was under the age of eighteen years of age at the time of the commission of the offense, the offender shall be eligible for parole consideration if all of the following conditions have been met: 1) the offender has served at least 25 years of the sentence imposed; 2) the offender has not committed any major disciplinary offenses in the last 12 consecutive months prior to the parole hearing date; 3) the offender has completed the mandatory minimum of 100 hours of prelease programming; 4) the offender has obtained or completed a literacy program, an adult basic education program, a job skills training program, or a GED certification; 5) the offender has obtained a low-risk level designation by the department; and 6) the offender has completed a reentry program. The proposed law shall be given prospective and retroactive application.

EXPENDITURES	2021-22	2022-23	2023-24	2024-25	2025-26	5 -YEAR TOTAL
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
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	2021-22	2022-23	2023-24	2024-25	2025-26	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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						

EXPENDITURE EXPLANATION

There will be a decrease in SGF expenditures of the Department of Public Safety & Corrections - Corrections Services (DPS&C) to the extent that persons who were sentenced to a term of imprisonment of 25 years or more and who were under the age of 18 at the time of the commission of the offense, including first and second degree murder, are released on parole. The proposed law has both prospective and retroactive application. Therefore, any juvenile convicted of first or second degree murder will now be eligible for parole after serving 25 years and meeting other conditions. For any offender granted parole under the proposed law, DPS&C will experience a decrease in SGF expenditures of \$22.98 per offender per day (26.39 daily rate - 3.41 daily/parole supervision per offender) and \$8,388 annually per offender for those housed in a local facility. DPS&C will experience a decrease in SGF expenditures of \$63.95 per offender per day (67.36 daily rate - 3.41 daily/parole supervision per offender) and \$23,342 annually per offender those housed in a state facility.

For illustrative purposes, DPS&C reports there are currently 616 offenders incarcerated who were under the age of 18 at the time of the commission of the offense and have a sentence of 25 years or more.

REVENUE EXPLANATION

There will be an increase in self-generated revenue to the Department of Public Safety & Corrections - Probation and Parole (P&P) to the extent that persons who were sentenced to a term of imprisonment of 25 years or more and who were under the age of 18 at the time of the commission of the offense, including first and second degree murder, are released on parole. P&P would realize an increase in fees paid by parolees. The exact fiscal impact is indeterminable because the number of offenders who may be released and the amount of monthly fees charged is unknown.

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}

Alan M. Boxberger

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Staff Director