



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

Fiscal Note On: **SB 252** SLS 22RS 452  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 4, 2022	11:16 AM	<b>Author:</b> BARROW
<b>Dept./Agy.:</b> Corrections		
<b>Subject:</b> Surgical castration for certain sex offenders		<b>Analyst:</b> Rebecca Robinson

CRIME/PUNISHMENT OR INCREASE GF EX See Note Page 1 of 1  
 Provides for surgical castration of persons convicted of sex offenses when the victim is under the age of thirteen. (8/1/22)

Proposed legislation provides for the surgical castration of individuals convicted of a sex offense when the victim is under the age of 13. Applies to offenses occurring on or after August 1, 2022. Surgical castration to be performed by a licensed physician and administered by the Department of Public Safety & Corrections - Corrections Services. The defendant shall be charged with a violation of the proposed legislation if they fail to appear for the procedure or refuse to allow the procedure. Penalties include imprisonment, with or without hard labor, for not less than three years nor more than five years.

EXPENDITURES	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						
REVENUES	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
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>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

There will be an increase in SGF expenditures for the Department of Public Safety & Corrections - Corrections Services (DPS&C) to the extent an individual is convicted of a sex offense, where the victim is under the age of 13, and the court orders the surgical castration of the defendant. DPS&C will be required to provide the necessary services to complete the surgical procedure and would cost approximately \$550 - \$680 per offender (according to the La. Medicaid Management System).

There will be an indeterminable increase in the expenditures for the Department of Public Safety & Corrections - Corrections Services (DPS&C) to the extent a person is convicted for the failure to appear for the procedure or refuses to allow the procedure, and is imprisoned at hard labor for 3 to 5 years (a felony). Any individual convicted under the proposed legislation and sentenced to the custody of DPS&C increases SGF expenditures of \$26.39 per day per offender in adult local housing and \$83.23 per day per offender in a state facility. Any offender convicted of these crimes would cost DPS&C \$9,632 annually (\$26.39 per day per offender x 365 days) per offender in adult local housing and \$30,379 annually (\$83.23 per day per offender x 365 days) per offender in a state facility. The maximum period of incarceration is 5 years. The maximum increase to the SGF would be \$48,160 per offender (\$9,632 annually per offender x 5 years) in adult local housing and \$151,895 per offender (\$30,379 annually per offender x 5 years) in a state facility.

There will be an increase in local expenditures to the extent a person is convicted for the failure to appear for the procedure or refuses to allow the procedure, and is imprisoned without hard labor for 3 to 5 years (a misdemeanor). These offenders are not in the custody of DPS&C, but rather a local jail. Local law enforcement agencies will realize an indeterminable increase in expenditures associated with prison costs. The cost increase will depend on the number of persons convicted, the minimum sentence an offender serves, and the cost per day for a local law enforcement agency to incarcerate an offender.

For informational purposes only, DPS&C reports there are 1,937 offenders in custody that have been convicted of a sex offense where the victim is under the age of 13. To date, there have been 37 offenders who have been recommended for chemical castration. For comparison, the cost of chemical castration is \$750 - \$2,000 per offender per month.

**REVENUE EXPLANATION**

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

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| <p><u>Senate</u></p> <p><input type="checkbox"/> 13.5.1 &gt;= \$100,000 Annual Fiscal Cost {S &amp; H}</p> <p><input type="checkbox"/> 13.5.2 &gt;= \$500,000 Annual Tax or Fee Change {S &amp; H}</p> | <p><u>Dual Referral Rules</u></p> | <p><u>House</u></p> <p><input type="checkbox"/> 6.8(F)(1) &gt;= \$100,000 SGF Fiscal Cost {H &amp; S}</p> <p><input type="checkbox"/> 6.8(G) &gt;= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}</p> |
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*Evan Brasseaux*  
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 Interim Deputy Fiscal Officer