

Regular Session, 2014

HOUSE BILL NO. 562

BY REPRESENTATIVE LOPINTO

PUBLIC SFTY/CORRECTIONS: Requires DPS&C to reimburse sheriffs for housing parolees who are arrested pending the parole revocation hearing

1 AN ACT

2 To enact R.S. 15:824(B)(1)(e), relative to housing of inmates; to provide relative to the  
3 housing of persons committed to the custody of the Department of Public Safety and  
4 Corrections who are released on parole and are subsequently arrested; to require the  
5 department to reimburse sheriffs for the housing of these inmates in parish jails; to  
6 provide for effectiveness; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:824(B)(1)(e) is hereby enacted to read as follows:

9 §824. Commitment of persons to the Department of Public Safety and Corrections

10 \* \* \*

11 B.(1)

12 \* \* \*

13 (e)(i) For Fiscal Year 2014-2015, subject to the appropriation of funds for  
14 this purpose by the legislature, for any person committed to the department who is  
15 released on parole and who is subsequently arrested and housed in a parish jail while  
16 awaiting a parole revocation hearing, after fourteen days of being housed in the  
17 parish jail, the department shall reimburse the sheriff, or the governing authority of  
18 those parishes in which the governing authority operates the parish jail, at the rate  
19 of fifty percent of an amount equal to the rate provided for in the provisions of  
20 Subparagraph (a) of this Paragraph less the sum of any monies received from the

1 parish governing authority for the purpose of housing such persons pursuant to the  
2 provisions of R.S. 13:5535(1), for each day that the person is housed in the parish jail  
3 from fourteen days after the time of arrest until the person either pleads guilty to the  
4 subsequent charge or until the committee on parole makes its determination  
5 regarding parole revocation, whichever occurs first.

6 (ii) For Fiscal Year 2015-2016, and thereafter, subject to the appropriation  
7 of funds for this purpose by the legislature, for any person committed to the  
8 department who is released on parole and who is subsequently arrested and housed  
9 in a parish jail while awaiting a parole revocation hearing, after fourteen days of  
10 being housed in the parish jail, the department shall reimburse the sheriff, or the  
11 governing authority of those parishes in which the governing authority operates the  
12 parish jail, at the rate provided for in the provisions of Subparagraph (a) of this  
13 Paragraph less the sum of any monies received from the parish governing authority  
14 for the purpose of housing such persons pursuant to the provisions of R.S.  
15 13:5535(1), for each day that the person is housed in the parish jail from fourteen  
16 days after the time of arrest until the person either pleads guilty to the subsequent  
17 charge or until the committee on parole makes its determination regarding parole  
18 revocation, whichever occurs first.

19 \* \* \*

20 Section 2. This Act shall become effective on July 1, 2014; if vetoed by the governor  
21 and subsequently approved by the legislature, this Act shall become effective on July 1,  
22 2014, or on the day following such approval by the legislature, whichever is later.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Lopinto

HB No. 562

**Abstract:** Requires the Dept. of Public Safety and Corrections, subject to appropriations for such purpose, to reimburse sheriffs for the housing of persons committed to the custody of the department who are released on parole and are subsequently arrested.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

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 to 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 shall be paid from date of sentencing until the individual is confined in a penal or correctional institution under the supervision of the department.

Present law 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 sheriffs for the housing of persons committed to the custody of the department who are released on parole and are subsequently arrested, after 14 days of being housed in the parish jail, at the following rates:

- (1) For FY 2014-2015, subject to appropriation of funds, at the rate of 50% of an amount equal to the rate of reimbursement provided by DPS&C to the sheriffs 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.
- (2) For FY 2015-2016 and thereafter, subject to appropriation of funds, at an amount equal to the rate of reimbursement provided by DPS&C to the sheriffs 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.

Effective July 1, 2014.

(Adds R.S. 15:824(B)(1)(e))

#### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Added a provision which states that for FY 2014-2015, the reimbursement shall be at a rate of 50% of an amount equal to the rate of reimbursement provided by DPS&C to the sheriffs 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.
2. Added language to specifically refer to the provision of present law which 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.
3. Provided that the provisions of proposed law shall be effective upon an appropriation by the legislature for such purposes.

Committee Amendments Proposed by House Committee on Appropriations to the engrossed bill.

1. Clarified the provision of proposed law making the reimbursement subject to appropriations by the legislature.
2. Provided that the reimbursement in proposed law applies after an individual is housed in a parish jail for 14 days.

3. Added an effective date of July 1, 2014.