

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 339** HLS 20RS 472

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 16, 2020 7:18 AM	Author: JAMES
Dept./Agy.: Department of Public Safety & Corrections-Corrections Svcs	Analyst: Monique Appeaning
Subject: Habitual Offender Law, Diminution & Commutation of Sentence	

CRIMINAL/SENTENCING
Provides relative to sentencing

OR SEE FISC NOTE GF EX

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Proposed law amends specific parts of the habitual offender law with regard to sentences for second and subsequent offenses to be applicable to all defendants regardless of the date the instant offense was committed. Proposed law amends specific parts of diminution and commutation of sentence for good behavior to now include people convicted prior to November 1, 2017. Proposed law amends specific parts of parole eligibility of juvenile offenders to now include people convicted prior to November 1, 2017.

EXPENDITURES	2020-21	2021-22	2022-23	2023-24	2024-25	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	2020-21	2021-22	2022-23	2023-24	2024-25	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 decrease to the Department of Public Safety and Corrections - Corrections Services (DPSC - CS). Proposed law may result in cost savings if specific individuals convicted under the habitual offender law are released based on specific parts of the habitual offender law being made applicable to all defendants regardless of the date of instant offense was committed, specific people are released because specific parts of diminution and commutation of sentence for good behavior now includes people convicted prior to November 1, 2017, or specific people are released as a result of specific parts of parole eligibility of juvenile offenders now include people convicted prior to November 1, 2017. The number of convicted individuals that may be eligible for release, or that would in fact be released under the provisions of proposed law, is unknown. Therefore, the magnitude of any potential SGF expenditure decrease is indeterminable.

SGF expenditures will decrease by \$67.44 per offender per day if an offender is housed in a state facility or \$26.39 for a state offender housed in a local facility. An offender sentenced to the custody of the DPSC - CS for one year would decrease SGF expenditures by \$24,615.60 (\$67.44 per day x 365 days) if housed in a state facility and \$9,632.35 (\$26.39 per day x 365 days) if housed in a local facility. Approximately 50% of state offenders are housed in state facilities and approximately 50% are housed in local facilities.

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

Evan Brasseaux
Staff Director