

2023 Regular Session

HOUSE BILL NO. 542

BY REPRESENTATIVES HUGHES, EDMONDS, AND SCHEXNAYDER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BUDGETARY PROCEDURES: Provides relative to criminal justice reinvestment savings

1 AN ACT

2 To enact R.S. 15:827.3(C) and (D) and R.S. 17:1877 and to repeal R.S. 15:827.3(A)(2)(c),
3 relative to criminal justice reinvestment; to provide relative to criminal justice
4 reinvestment savings; to provide for changes to the allocation of the savings; to
5 create a fund to provide post-secondary education and vocational training to
6 incarcerated persons; to provide for the transfer of monies into the fund; to provide
7 for the administration of the fund; to provide for reporting requirements; to provide
8 for an effective date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:827.3(C) and (D) are hereby enacted to read as follows:

11 §827.3. Savings attributable to criminal justice reforms; data collection and
12 reporting requirements to the Joint Legislative Committee on the Budget

13 * * *

14 C. Beginning in Fiscal Year 2024-2025, at the beginning of each fiscal year,
15 the Department of Public Safety and Corrections shall transfer five million dollars
16 of the reoccurring savings recognized pursuant to this Section and allocated to the
17 Department of Public Safety and Corrections for targeted investments in reentry
18 services, community supervision, educational and vocational programming,
19 transitional work programs, and contracts with parish jails and other local facilities
20 that house state inmates to incentivize expansion of recidivism reduction

1 programming and treatment services to the Board of Supervisors of the Louisiana
2 Community and Technical College System for deposit into the Reinvestment in
3 Offender Education Fund provided for in R.S. 17:1877.

4 D. Nothing in this Section shall change or impact the continuous and
5 reoccurring allocation of savings recognized in prior fiscal years and allocated to the
6 office of juvenile justice, the Louisiana Commission on Law Enforcement and
7 Administration of Criminal Justice, and sheriffs' offices for the purpose of
8 reinvestment as provided in Act No. 261 of the 2017 Regular Session.

9 Section 2. R.S. 17:1877 is hereby enacted to read as follows:

10 §1877. Reinvestment in Offender Education Fund

11 A. It is the intent of the legislature to provide incarcerated persons with the
12 education and training to find employment upon release from incarceration in order
13 to increase the likelihood of successful reentry into free society and to reduce
14 recidivism. To achieve that purpose, the legislature hereby designates the Louisiana
15 Community and Technical College System as the entity responsible for managing
16 post-secondary education and vocational training for incarcerated persons throughout
17 the state.

18 B.(1) There is hereby created in the state treasury, as a special fund, the
19 Reinvestment in Offender Education Fund, hereinafter referred to in this Section as
20 the "fund", which shall provide funding to the Louisiana Community and Technical
21 College System for post-secondary education and vocational training aimed at
22 recidivism reduction for adult and juvenile offenders.

23 (2) Monies in the fund shall be invested in the same manner as monies in the
24 general fund. Interest earned on investment of monies in the fund shall be credited
25 to the fund. Unexpended and unencumbered monies in the fund at the end of the
26 fiscal year shall remain in the fund.

27 (3) Monies from other sources, such as donations, appropriations, or
28 dedications, may be deposited in and credited to the fund. The unencumbered fund

1 balance provided for in Paragraph (3) of this Subsection shall not include monies
2 deposited into the fund pursuant to this Paragraph.

3 C. Monies in the fund shall be appropriated to the Board of Supervisors of
4 the Louisiana Community and Technical College System solely for the purposes of
5 this Section. Such funds shall be utilized in connection with any other available
6 sources of federal or state aid or training funds.

7 D. The fund is in addition to, and separate from, any monies allocated to the
8 institutions under the management and control of the board or any other
9 postsecondary education board. The availability of the fund shall not in any way
10 substitute, limit, or otherwise affect the allocation of any funds otherwise available
11 to those institutions under state or federal laws.

12 E. The Board of Supervisors of the Louisiana Community and Technical
13 College System shall enter into cooperative endeavor agreements with the
14 Department of Public Safety and Corrections and the Louisiana Workforce
15 Commission as necessary to implement the provisions of this Section.

16 F. The Louisiana Community and Technical College System shall provide
17 a report to the legislature by December fifteenth of each year, which shall include but
18 not be limited to the following:

19 (1) A detailed description of the number of people educated and trained
20 categorized by age, race, gender, and geographic region.

21 (2) A detailed description of the credentials issued.

22 (3) The average expenditure per student educated or trained.

23 (4) The percentage of the eligible population who participated in education
24 or training.

25 Section 3. R.S. 15:827.3(A)(2)(c) is hereby repealed in its entirety.

26 Section 4. This Act shall become effective on July 1, 2023; if vetoed by the governor
27 and subsequently approved by the legislature, this Act shall become effective on July 1,
28 2023, or on the day following such approval by the legislature, whichever is later.

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)]

HB 542 Engrossed

2023 Regular Session

Hughes

Abstract: Changes allocations of funds for criminal justice reinvestment.

Present law requires the Dept. of Public Safety and Corrections (DPS&C) to calculate annual savings realized as a result of criminal justice reinvestment legislation enacted in the 2017 R.S. and thereafter.

Present law allocates the annual savings each fiscal year as follows:

- (1) 15% to DPS&C to award incentive grants to parishes, judicial districts, and nonprofit community partner organizations to expand evidence-backed prison alternatives and reduce admissions to the state prison system.
- (2) 10% to the La. Commission on Law Enforcement and the Administration of Criminal Justice to award competitive grants for victim services.
- (3) 45% to the La. Community and Technical College System (LCTCS) for targeted investments in educational and vocational training aimed at recidivism reduction programing for adult and juvenile offenders. Proposed law further requires the La. Community and Technical College System to report to the legislature by Dec. 15th of each year.

Proposed law removes the allocation to the LCTCS and instead creates a separate special fund in the state treasury under the administration of LCTCS for the same purposes (the Reinvestment in Offender Education Fund, more fully described below). Further requires DPS&C to transfer at the beginning of each fiscal year, commencing with fiscal year 2024-2025, an amount equal to \$5,000,000 of DPS&C's criminal justice reinvestment savings to LCTCS for deposit into such fund.

Proposed law retains present law reporting requirement for LCTCS.

Proposed law designates LCTCS as the entity responsible for managing post-secondary education and vocational training for incarcerated persons. Requires LCTCS to enter into cooperative endeavor agreements with DPS&C and the La. Workforce Commission as necessary to accomplish this charge.

Proposed law further establishes the Reinvestment in Offender Education Fund (fund). Requires monies in the fund to be invested in the same manner as monies in the state general fund and that any interest earned on investment of fund monies be credited to the fund. Further requires unexpended and unencumbered monies in the fund at the end of the fiscal year to remain in the fund. Requires monies in the fund to be appropriated to the Board of Supervisors of LCTCS for education and vocational training for incarcerated persons.

As described above, proposed law modifies how DPS&C and LCTCS realize criminal justice reinvestment savings. Proposed law further retains the provisions of present law relative to the continuous and reoccurring allocation of savings recognized in prior fiscal years and allocated to the office of juvenile justice, the La. Commission on Law Enforcement and Administration of Criminal Justice, and sheriffs' offices.

Effective July 1, 2023.

(Adds R.S. 15:827.3(C) and (D) and R.S. 17:1877; Repeals R.S. 15:827.3(A)(2)(c))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Remove prohibition on Dept. of Corrections carrying forward into future fiscal years aggregated savings realized as a result of criminal justice reinvestment legislation enacted in the 2017 R.S. and thereafter.
2. Require Dept. of Corrections, beginning FY 2024-2025 and thereafter, to transfer \$5,000,000 of such savings to the La. Community and Technical College System for deposit into the fund created pursuant to proposed law.
3. Make technical changes.