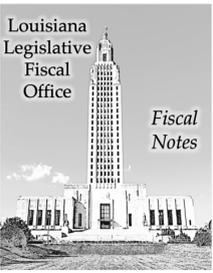


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 99** HLS 24RS 106

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 13, 2024 7:03 PM	Author: BACALA
Dept./Agy.: Corrections, Sheriffs, Judiciary	Analyst: Daniel Druilhet
Subject: Contradictory Bail Hearings - Crimes of Violence	

BAIL OR INCREASE LF RV See Note
Provides relative to contradictory bail hearings for certain persons

Current law provides that a contradictory bail hearing may be held prior to setting bail for a person in custody charged with domestic abuse battery, violation of protective orders, stalking, or any felony offense involving the use or threatened use of force or a deadly weapon upon the defendant's family member, household member, or dating partner; orders the contradictory hearing to held within five days from the date of determination of probable cause, exclusive of weekends and legal holidays. Proposed law requires a contradictory bail hearing to be held prior to setting bail for a person in custody for a crime of violence who has a previous conviction for a felony crime of violence or is currently released pursuant to a bail undertaking for, or after a conviction for, a felony crime of violence; requires the court to order a contradictory hearing to be held within 5 days after receiving notice of an applicable conviction, previously posted bail undertaking, or previously posted bail undertaking and conviction, within five days of receiving the notice, exclusive of weekends and legal holidays.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0
REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

EXPENDITURE EXPLANATION

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

Local courts may experience an increased workload related to the number of contradictory bail hearings that will be conducted. While the proposed law mandates that contradictory bail hearings be conducted prior to setting bail for a person in custody for a crime of violence (who has a previous conviction for a felony crime of violence or is currently released pursuant to a bail undertaking for, or after a conviction for, a felony crime of violence), there is no way to determine the number of contradictory hearings that will be conducted with its enactment. The LFO presumes that local courts can absorb any projected increase in workload using existing staff and resources.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenue to Sheriffs' offices, as it mandates a contradictory bail hearing prior to setting bail for a person in custody for a crime of violence (who has a previous conviction for a felony crime of violence or is currently released pursuant to a bail undertaking for, or after a conviction for, a felony crime of violence). Proposed law has the effect of increasing the number of crimes and the number of instances in which contradictory bail hearings must be conducted, which will potentially increase the amount of revenue collected by local Sheriffs after decisions on bail are made by the courts. The exact fiscal impact to local Sheriffs is indeterminable, because there is no way to determine the number of contradictory bail hearings or collections associated with bail amounts that will be assessed by the courts with enactment of the proposed law.

The Legislative Fiscal Office has requested details from the Louisiana Sheriffs' Association on historical collections of bail and potential revenue impact (positive or negative) on local Sheriffs. The LFO will provide this information as it becomes available.

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}

Patrice Thomas
Deputy Fiscal Officer