

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 197** SLS 24RS 391

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 4, 2024	1:46 PM	Author: DUPLESSIS
Dept./Agy.: Office of Juvenile Justice		Analyst: Daniel Druilhet
Subject: Fines and Penalties in Juvenile Delinquency Proceedings		

COURTS OR DECREASE LF RV See Note Page 1 of 2
Provides for fines and penalties in juvenile delinquency proceedings. (gov sig)

Proposed law provides that no court exercising juvenile jurisdiction shall impose fines or other financial penalties in certain juvenile delinquency proceedings against any juvenile delinquent or defendant, or the parents or guardians of the juvenile delinquent or defendant, on behalf of any juvenile delinquent or defendant, as a disposition or to cover any operating expenses of the court, including but not limited to any salaries of court personnel, district attorney offices, police juries, or local judicial districts; provides that the imposition of fines or other financial penalties is not applicable to the enforcement of restitution in juvenile delinquency proceedings; requires the Louisiana Supreme Court to distribute copies of the proposed law to all courts exercising juvenile jurisdiction by 7/01/24.

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	SEE BELOW					
Annual Total						
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	DECREASE	DECREASE	DECREASE	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	\$0
Annual Total						

EXPENDITURE EXPLANATION

There is no anticipated direct material effect of governmental expenditures as a result of this measure. While proposed law does not directly impact state or local governmental expenditures, it does eliminate revenues used to support certain functions within multiple state and local agencies (see revenue discussion below).

Note: To the extent the legislature continues to fund other state activities in impacted agencies at the same level in subsequent fiscal years, the funding sources supporting the base expenditures must be replaced by SGF or another revenue source to supplant the lost revenues generated by fines and costs related to juvenile delinquency. These activities would compete for annual SGF resources along with other significant SGF supported services. Likewise, local agencies would require local governing authorities to supplant any loss of funds from general operating revenues in order to maintain current activity levels.

REVENUE EXPLANATION

Proposed law will likely result in an indeterminable decrease in SGR in the Office of Juvenile Justice and an indeterminable decrease in Local revenues to courts exercising juvenile jurisdiction that impose fines or other financial penalties in certain juvenile delinquency proceedings.

Office of Juvenile Justice

Proposed law will likely result in an indeterminable, marginal decrease in SGR in the Office of Juvenile Justice (OJJ) associated with reduced revenue related to cost of care and supervision fees collected by the agency. Of the proceedings within the proposed law, costs of care and supervision for juveniles adjudicated delinquent of illegal possession of a handgun (R.S. 14:95.8) would be impacted.

Note: Act 123 of the 2021 RS prohibited the OJJ from collecting fees for cost of care and supervision from July 1, 2021, through June 30, 2026. OJJ has not collected any supervision or cost of care fees since enactment of this law. Prior to enactment of the law, OJJ collected an average of \$469,511 in fees for cost of care and supervision in FY 19 and FY 20.

CONTINUED ON PAGE 2

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

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CONTINUED EXPLANATION from page one:
[CONTINUED FROM PAGE 1]

Juvenile Courts

Proposed law will likely result in an indeterminable decrease in Local revenues in courts that exercise juvenile jurisdiction and collect fines and financial penalties in certain juvenile delinquency proceedings. Proposed law has the effect of reducing traffic fines that are imposed by the juvenile courts that collect traffic fines and fees under current law.

Proposed law will result in an indeterminable decrease in local revenues to the East Baton Rouge Parish Juvenile Court, Caddo Parish Juvenile Court, and Jefferson Parish Juvenile Court, while the Orleans Parish Juvenile Court will experience no fiscal impact, as it does not assess court costs, fines, or fees in any of its juvenile matters. The East Baton Rouge Parish, Caddo Parish, and Jefferson Parish Juvenile Courts all report that enactment of proposed law will reduce revenue generated by traffic fines by no less than \$89,177 annually, considering the cumulative average in collections of traffic fines in each of the courts for the past three years. The revenue generated by these fines is used by the courts for costs related to securing traffic court referees, security, building fund service charges, the Court Management Information System, the Judicial College Fund, the Public Defender, the Victims Compensation Fund, professional liability insurance, annual audit expenses, and the Louisiana Rehabilitative Service. Elimination of traffic fines will essentially eliminate the revenue source which assists in providing funding to these entities.

District Courts and City Courts

Proposed law will likely result in an indeterminable, marginal decrease in local revenues to city courts and district courts that exercise juvenile jurisdiction. City courts, parish courts, and district courts have reported minimal collections for fines or costs (other than restitution, which is not within the scope of the proposed law) associated with juvenile matters. Some courts have, in practice, not collected fines or fees prior to the enactment of Act 123 of the 2021 RS. The exact fiscal impact to city courts, parish courts, and district courts that exercise juvenile court jurisdiction is indeterminable, due to the variable nature in which courts approach the collection of fines and costs in juvenile matters.

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}

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