



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 675** HLS 25RS 1395
Bill Text Version: **ENGROSSED**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.: HB 572

Date: April 28, 2025	12:48 PM	Author: GLORIOSO
Dept./Agy.: State Police/Treasury/Judiciary/Public Defender/District		
Subject: Post-Conviction Relief		Analyst: Daniel Druilhet

CRIMINAL/PROCEDURE EG INCREASE GF EX See Note Page 1 of 1
Provides relative to post conviction relief

Current law provides for rules, procedures, grounds for dismissal, burden of proof relative to the post-conviction relief process. Proposed law provides that if a sentence does not fall within the legal sentencing range, it may be corrected within one year after the judgment of conviction and sentence has become final; provides that on direct review from conviction and imposition of sentence, an appellate court may vacate an unlawful sentence and remand to the trial court for re-sentencing; provides that a defendant who pled guilty to an offense shall not be entitled to assert factual innocence; provides that a defendant waives attorney-client privilege as to any information necessary to the state to rebut the claim if he asserts ineffective assistance of counsel; requires preliminary review of all PCR petitions for compliance with limitations for relief; provides for notice to the AG if certain applications are filed, procedures for those that cannot be summarily dismissed, and AG’s assumption of responsibility relative to state petitions and capital cases pending as of 7/01/25; expands PCR DNA testing in felony cases; lists petitioner duties regarding abandonment of an application; provides for notice and service requirements for amending a PCR application; provides that the AG and district attorney may suspensively appeal any order granting PCR; provides that a petitioner sentenced to death shall file a PCR application that contains a new claim or pleading no later than 7 days prior to his execution date; provides for dismissal of action based upon prejudice.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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						

REVENUES	2025-26	2026-27	2027-28	2028-29	2029-30	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

EXPENDITURE EXPLANATION

Proposed law will likely result in an indeterminable, but significant, increase in SGF expenditures in the Office of the State Public Defender (\$8.1 M), and an increased workload in the Attorney General, district attorneys, and district courts.

Office of the State Public Defender

Proposed law will likely result in an increase of \$8.1 M SGF expenditures in FY 26 (and in subsequent fiscal years) in the Office of the State Public Defender, to the extent that offices contracted by the Office of the State Public Defender to perform capital services would be required to increase the number of staff for time limitations imposed on motions and evidentiary hearings that are contemplated in the proposed law. Currently, the Mwalimu Center for Justice and the Loyola Law Clinic collectively have manpower on staff to represent 12 of the 40 capital post-conviction cases that the Office of the State Public Defender is responsible for at the post-conviction stage. The proposed law would require program contract amounts to be increased by 333%, which is also true for post-conviction expert witness funds, which are annually appropriated in the amount of \$365,000. To address the manpower issue, the two program offices would require an additional \$6.8 M in additional funding, along with an additional \$1.2 M in funding relative to the Expert Witness Fund.

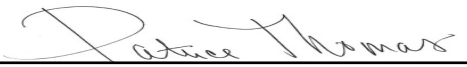
Mwalimu Center for Justice/Loyola Law Clinic	\$ 6,841,787
Expert Witness Fund	\$ 1,216,666
Total SGF Increase (FY 26)	\$ 8,058,453

District Courts, District Attorneys, and the Attorney General

Proposed law may result in an indeterminable increase in workload in local district courts, district attorneys’ offices, and the Office of the Attorney General, to the extent that additional hearings are held on post-conviction relief. The exact fiscal impact to district courts, district attorneys, and the Office of the Attorney General is indeterminable, because it is unknown the number of instances in which hearings on these matters will be scheduled under proposed law as a result of filings submitted by individuals seeking post-conviction relief. Proposed law has the effect of potentially increasing the number of filings and related hearings for post-conviction relief that would involve local district attorneys and the Attorney General and increase workload within the respective offices and district courts. The exact fiscal impact of the proposed law to district attorneys, the Attorney General, and district courts is indeterminable, but district attorneys expect that the increased workload can be absorbed using existing staff.

REVENUE EXPLANATION

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

Senate	Dual Referral Rules	House	
<input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input checked="" type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	
			 Patrice Thomas Deputy Fiscal Officer