



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 **REVISED**

Date: May 19, 2025	8:58 AM	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 (PCR) process. Proposed law provides that a petitioner who pled guilty to the offense of conviction shall not be entitled to assert a claim of factual innocence in any PCR application that is filed on or after 8/01/25; 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 7/01/23 and 7/01/25; requires claims with shell petitions to be fully adjudicated no later than 7/01/26; allows the AG to file objections to to the PCR application if any are waived by the DA; provides that a PCR application shall be deemed abandoned if the petitioner fails to file any pleading in furtherance of the disposition of the application for a period of two years following the filing of the petition, irrespective of the stage of the proceedings (does not preclude the filing of a PCR application that meets an exception to time limitations); provides that the AG and district attorney may suspensively appeal any order granting PCR; reduces time of filing any new pleading in capital post-conviction matters from no later than 7 days prior to the petitioner’s execution date to no later than 45 days prior to his execution date; limits time of adjudicating capital PCR applications to 21 days prior to the petitioner’s execution date; provides for dismissal of action based upon prejudice for failure to timely file a PCR application or seek a hearing.

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 (\$4.2 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 \$4.2 M SGF expenditures in FY 26 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 and adjustments imposed on shell petitions and evidentiary hearings that are contemplated in the proposed law. Currently, the Mwalimu Center for Justice has 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, 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, program offices would require \$3.8 M in funding, along with \$365,000 for the Expert Witness Fund.

Mwalimu Center for Justice	\$ 3,795,105
Expert Witness Fund	\$ 365,000
Total SGF Increase (FY 26)	\$ 4,160,105

Note: The Office of the State Public Defender advises that should the legislature grant the agency an additional \$4.2 M SGF to comply with the proposed law, the agency may request an additional \$12.5 M in FY 26 to remain compliant with R.S. 15:167(E).

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 involving local district attorneys and the AG, and an increased workload within the respective offices and district courts. The exact fiscal impact of the proposed law to district attorneys, the AG, 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}	
			<div>Patrice Thomas Deputy Fiscal Officer</div>