



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 199** HLS 25RS 844
Bill Text Version: **ENGROSSED**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.:

Date: May 14, 2025	1:03 PM	Author: EDMONSTON
Dept./Agy.: Corrections, Clerks, and Sheriffs		
Subject: In Forma Pauperis Proceedings for Prisoners		Analyst: Daniel Druilhet

CORRECTIONS/PRISONERS EG SEE FISC NOTE LF RV Page 1 of 1
Provides relative to proceedings in forma pauperis for prisoners

Current law provides for procedures governing in forma pauperis proceedings for prisoners and the initial partial filing fees required for those proceedings; provides requirement of filing fees for prisoners who bring civil actions file appeals or writ applications in forma pauperis; provides for judicial screening and service of process. Proposed law provides that at the time of his application to proceed in forma pauperis, prisoners shall submit a certified copy of the trust fund account statement or institutional equivalent for the six-month period preceding the filing, notice of appeal, or writ application; provides that if incarcerated for less than six months at the time of his in forma pauperis application, the prisoner’s account shall be limited to the period of incarceration (and if released less than six months before his application, his account shall be limited to the period between his release and the application); provides that if incarcerated in a prison, the order granting pauper status shall direct the agency having custody to forward payments from the prisoner’s account to the clerk of court each time the amount exceeds \$10 until filing fees are paid (if released, the prisoner shall forward payments to the clerk of court himself), and for assessment and collection of fees for initial partial filing fees (20% of the greater of the average monthly deposits to the account or the average monthly balance for the six-month period immediately preceding the filing of the petition, etc.).


EXPENDITURES	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

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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

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

REVENUE EXPLANATION
Proposed law may result in an indeterminable increase in Local revenues to Clerks of Court, to the extent that any funds in excess of \$10 within the trust accounts (or for partial filing fees, 20% of the greater of the average monthly deposits to the account or the average monthly balance for the six-month period immediately preceding the filing of the petition, or if based on a prisoner’s present assets, the fee schedule in Art. 5181) of prisoners are forwarded to clerks of court for payment of filing fees. Because the amounts within the trust accounts of prisoners are normally minimal, clerks of court estimate that proposed law’s enactment may result in a nominal increase in Local revenues. The exact fiscal impact to Clerks of Court is indeterminable, as the dollar amounts within the trust accounts of prisoners are variable, and it is unknown the number and frequency of payments that would be transferred from trust accounts to clerks of court.

Note: The Department of Public Safety and Corrections - Corrections Services (DPS&C-CS) advises that it currently administers a total of 18,427 trust accounts, with 9,939 of those trust accounts with monetary amounts in excess of \$10. DPS&C-CS only has access to information relative to monetary amounts currently in prisoners’ trust accounts for those who are incarcerated, and those amounts are not subject to disclosure. The LFO is working with local sheriffs to generate information (total number of trust accounts and the number of trust accounts with monetary amounts in excess of \$10) regarding the impact of the proposed law to trust accounts currently under their administration, and this information will be reported as it becomes available. As with those trust accounts administered by DPS&C-CS, the amounts currently in prisoners’ trust accounts for those housed in parish jails is not subject to disclosure.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>	
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	Patrice Thomas
<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}	Deputy Fiscal Officer