

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 215** SLS 26RS 343

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 20, 2026	9:34 AM	<b>Author:</b> MCMATH
<b>Dept./Agy.:</b> Corrections, DA's, Judiciary, and Clerks		<b>Analyst:</b> Daniel Druilhet
<b>Subject:</b> Post-Conviction Relief - Non-unanimous Jury Convictions		

CRIMINAL PROCEDURE

EG SEE FISC NOTE GF EX

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Provides relative to the grounds for post conviction relief for inmates convicted by a non-unanimous jury. (gov sig)

Proposed law creates the Special Committee on Parole for Non-unanimous Jury Convictions (SCPNJC), establishes rules for how the committee is comprised (5 regular committee and 5 alternate members serving in an ad hoc capacity), along with compensation, powers, and duties of committee members; establishes the procedure by which petitioners apply for consideration from the SCPNJC for parole eligibility; provides that any person currently incarcerated who alleges a conviction for an offense rendered by a non-unanimous jury is entitled to file an application with the special committee, regardless of the term of imprisonment imposed; provides salaries for SCPNJC members to be the same as salaries of the members of the Board of Pardons and ad hoc committee members to be compensated at a per diem rate set by the SCPNJC; provides that any documents requested by a petitioner from the clerk of court of the parish of conviction be made available to the petitioner no later than 90 days after the request is made; provides for indigency of petitioners; provides for duties of district attorneys; provides for unanimity in decisions to grant parole; provides that all applications shall be filed within one year of the proposed law's effective date; provides that for applications granting parole release, the term of parole shall be the remaining term of the original sentence of conviction or as commuted by the governor; provides that its implementation is subject to legislative appropriation.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	<b>SEE BELOW</b>	<b>SEE BELOW</b>	<b>SEE BELOW</b>	<b>SEE BELOW</b>	<b>SEE BELOW</b>	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<b>INCREASE</b>	<b>INCREASE</b>	<b>INCREASE</b>	<b>INCREASE</b>	<b>INCREASE</b>	

**Annual Total**

REVENUES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	<b>INCREASE</b>	<b>INCREASE</b>	<b>INCREASE</b>	<b>INCREASE</b>	<b>INCREASE</b>	
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<b>DECREASE</b>	<b>DECREASE</b>	<b>DECREASE</b>	<b>DECREASE</b>	<b>DECREASE</b>	

**Annual Total**

**EXPENDITURE EXPLANATION**

Proposed law may result in an indeterminable net decrease in SGF expenditures in the Department of Public Safety and Corrections - Corrections Services (DPS&C-CS) and an indeterminable increase in Local Fund expenditures in Clerks of Court. Decreases in SGF expenditures (savings) in the DPS&C-CS relative to reduced stays of incarceration may exceed any increase in SGF expenditures to create the Special Committee on Parole for Non-unanimous Jury Convictions.

Proposed law may result in an indeterminable decrease in SGF expenditures for the DPS&C-CS to the extent that inmates who qualify for SCPNJC relief are granted a parole release and are subject to reduced duration of incarceration stays as a result of their applications being approved by SCPNJC members. The exact fiscal impact on expenditures is indeterminable because it is unknown how many individuals currently incarcerated would be ultimately granted parole release and serve a reduced sentence due to enactment of the proposed law. Any offender serving less time in custody of DPS&C-CS will decrease SGF expenditures by \$107.60 per offender per day if housed in a state facility or \$29.39 per offender per day if housed in a local facility. An offender sentenced to the custody of the DPS&C-CS and granted parole release will decrease expenditures by \$39,724 annually (\$107.60 per day x 365 days) if housed in a state facility and \$10,727 annually (\$29.39 per day x 365 days) if housed in a local facility.

[CONTINUE ON PAGE TWO]

**REVENUE EXPLANATION**

Proposed law may result in an indeterminable increase in self-generated revenue to DPS&C - Probation and Parole to the extent any inmate in custody qualifies for SCPNJC relief and is released on parole supervision as a result of enactment of the proposed legislation. The current daily parole supervision rate for adult offenders is \$6.67 per day, which would result in an annual increase of \$2,434 SGR (\$6.67 x 365) in parole supervision.

**Louisiana Clerks of Court**

Proposed law may result in an indeterminable decrease in local revenues to the Clerks of Courts to the extent that any costs imposed to copy and certify records are provided at no cost by clerks. Clerks currently set variable rates for providing certified copies of records in both criminal and civil matters. Proposed law would mandate that these records be provided at no cost to the inmates who request them for purposes of filing applications for relief with the SCPNJC. Current law allows Clerks to assess costs for duplicating records at no more than \$1 per page and certifying those records at \$10 for the entire record. The exact fiscal impact of proposed law on local revenues is indeterminable because it is unknown how many cases would qualify for review (estimates are that between 800 and 1,600 individuals may have their cases eligible for review), the length of records needed in each case, the number of cases appealed, and the number of cases not appealed that would require copying and certifying, and variable rates set by different Clerks of Court.

Senate  
 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:**

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[CONTINUED FROM PAGE ONE - EXPENDITURES]

Proposed law may result in an indeterminable increase in SGF expenditures for the Department of Public Safety & Corrections - Corrections Services (DPS&C-CS) to the extent that DPS&C-CS becomes responsible for salaries of members of the SCPNJC. Proposed law mandates that the salary of SCPNJC members is the same as the salaries of the members of the Board of Pardons and that the SCPNJC be established in the same manner as the Board of Pardons, which places the organization of the SCPNJC and responsibility for payment of salaries of SCPNJC members under the DPS&C-CS. Proposed law also directs ad hoc committee members to be paid a per diem rate set by SCPNJC members for services rendered due to recusal or absence of any committee member. Proposed law also mandates that the chairman of the SCPNJC be appointed by the governor.

According to DPS&C, members of the Board of Pardons are currently compensated \$54,545 annually, with variable salaries set for the Vice-Chairman (\$57,272) and Chairman (\$60,000). Because proposed law establishes the SCPNJC at five members (with one of five members to be appointed by the governor as chairman), expenditures for salaries of committee members will likely result in \$280,907 in SGF expenditures for four SCPNJC members ( $\$54,545 \times 3 = \$163,635$  plus \$52,272 for the vice-chairman) and one chairman (\$60,000). The exact fiscal impact on expenditures is indeterminable because the proposed law mandates SCPNJC members to set per diem rates for payment for services rendered by ad hoc committee members, and these rates are currently unknown and are to be established with proposed law's enactment.

It is unknown the extent to which any savings related to reduced stays of incarceration will surpass any expenditures related to salaries for SCPNJC board members. A minimum of eight offenders would have to be granted parole annually with enactment of the proposed law to exceed annual expenditures related to salaries for SCPNJC board members.

#### **Louisiana Clerks of Court**

Proposed law may result in an indeterminable increase in Local Funds expenditures and workload for Louisiana Clerks of Court to the extent that Clerks of Court are required to provide a certified copy of the entirety of the record of the proceeding relative to inmates' direct appeal of the conviction on which their applications for relief are based along with an accompanying affidavit (or if not available, a certified copy of the trial court record). Proposed law provides that inmates requesting a certified copy of the record on direct appeal or trial court record for purposes of submitting an application for relief shall be deemed indigent for purposes of the cost of production of the requested record. Proposed law may increase expenditures in the Clerks' Offices to produce records related to submitting an application for relief and supplies needed to produce requested records. The exact fiscal impact of proposed law on workload and expenditures is indeterminable because it is unknown how many cases would qualify for review, the length of records needed in each case, the number of cases appealed, and the number of cases not appealed that would require copying and certifying.

#### Senate

#### Dual Referral Rules

#### House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

**Patrice Thomas**  
**Deputy Fiscal Officer**