

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 123** HLS 26RS 336
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

| | |
|---|---------------------------------|
| Date: April 21, 2026 12:42 PM | Author: BAYHAM |
| Dept./Agy.: Corrections, Sheriffs, and Commission on Law Enforcement | Analyst: Daniel Druilhet |
| Subject: Electronic Monitoring | |

CRIMINAL/JUSTICE OR +\$10,356,586 GF EX See Note Page 1 of 2
 Provides relative to electronic monitoring

Current law provides for agencies that promulgate rules on electronic monitoring equipment service providers and manufacturers, information submitted by electronic monitoring service providers (service providers) to law enforcement agencies and prosecuting authorities, reporting requirements regarding violations, courts exercising jurisdiction over those monitored, fines for violations by and registration of service providers, penalties, and prohibitions. Proposed law removes Corrections and State Police and places LCLE as the sole authority responsible for rule making on requirements for service providers and manufacturers; requires service providers to submit an accurate report to LCLE by the 10th day of each month for the previous month's monitoring activity; enhances penalty for service providers who intentionally withhold or fail to timely report information from no more than six months (to no more than 1 year) imprisonment, or no more than a \$10,000 fine per instance per individual monitored; assesses a sentence of no more than 1 year imprisonment, with or without hard labor, or no more than a \$5,000 fine, or both, for an employee of a state or law enforcement agency, or prosecuting authority who intentionally releases, disseminates, or publishes personal information of a monitored individual; mandates that LCLE develop and maintain a central repository capable of registering every service provider, with additional duties; provides for registration requirements of providers and registry removal for violating the proposed law; removes responsibility from (1) courts with jurisdiction over monitored individuals in reporting information to all law enforcement agencies in its jurisdiction and (2) service providers in certifying and registering with the court and sheriff where services are to be provided.

| EXPENDITURES | 2026-27 | 2027-28 | 2028-29 | 2029-30 | 2030-31 | 5 -YEAR TOTAL |
|----------------|---------------------|--------------------|--------------------|--------------------|--------------------|---------------------|
| State Gen. Fd. | \$10,356,586 | \$1,367,244 | \$1,378,968 | \$1,394,864 | \$1,406,050 | \$15,903,712 |
| 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

| REVENUES | 2026-27 | 2027-28 | 2028-29 | 2029-30 | 2030-31 | 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

Proposed law will result in an increase of \$10 M in SGF expenditures in the Louisiana Commission on Law Enforcement (LCLE) associated with building a secure, centralized database to regulate the oversight of electronic monitoring service providers, receive monthly and annual reports, discipline and provide enforcement of providers, and implement and maintain reasonable security procedures and practices to protect personal information of monitored individuals. The associated expenditures for the database and one T.O. (Law Enforcement Training Consultant) needed for ongoing management and maintenance of the database are as follows:

| | FY 27 | FY 28 | FY 29 | FY 30 | FY 31 |
|-----------------------|---------------------|--------------------|--------------------|--------------------|--------------------|
| Personal Services | | | | | |
| Salaries | \$ 68,089 | \$ 70,813 | \$ 73,645 | \$ 76,591 | \$ 79,654 |
| Benefits | \$ 38,497 | \$ 46,431 | \$ 55,323 | \$ 65,273 | \$ 76,396 |
| Subtotal | \$ 106,586 | \$ 117,244 | \$ 128,968 | \$ 141,864 | \$ 156,050 |
| Operating Services | \$ 250,000 | \$ 250,000 | \$ 250,000 | \$ 250,000 | \$ 250,000 |
| Professional Services | <u>\$10,000,000</u> | <u>\$1,000,000</u> | <u>\$1,000,000</u> | <u>\$1,000,000</u> | <u>\$1,000,000</u> |
| Total | \$10,356,586 | \$1,367,244 | \$1,378,968 | \$1,391,864 | \$1,406,050 |

Department of Public Safety and Corrections

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections-Corrections Services, to the extent that electronic monitoring service providers intentionally withhold or fail to timely report information or employees of state agencies or law enforcement agencies, or a prosecuting authority are convicted of intentionally releasing, disseminating, or publishing personal information of a monitored individual. The proposed law has the effect of increasing the maximum amount of time (no more than six months to no more than one year) to which electronic monitoring service providers convicted of intentionally withholding or failing to timely report information can be sentenced, and enhances the crime from a misdemeanor to a relative felony). The proposed law also creates a new relative felony for which an offender (an employee of a state or law enforcement agency or prosecuting authority) who intentionally releases, disseminates, or publishes personal information of a monitored individual can be convicted. The exact fiscal impact is indeterminable, because it is unknown how many persons will be convicted or the lengths of the sentences that will be imposed with enactment of the proposed law.

[CONTINUED ON PAGE TWO]

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of employees of state agencies, law enforcement agencies, or prosecuting authorities who intentionally release, disseminate, or publish personal information of a monitored individual. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because the fines that would be imposed on those convicted (no more than \$5,000) are optional, and the amount of the fines, if imposed, may vary. The potential revenue will accrue to the local governing authority.

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 ONE]

The proposed law is a relative felony, any impact on either state or local expenditures is contingent on whether offenders sustain either a misdemeanor or felony-grade convictions for their violation. To the extent that offenders sustain a felony-grade conviction for violation of the proposed law, DPS&C-CS will sustain an indeterminable increase in expenditures. For those convicted, sentenced, and then subsequently housed in a state facility, DPS&C-CS will sustain expenditures of \$107.60 per offender per day. For those housed in local facilities, DPS&C-CS will sustain expenditures of \$29.39 per offender per day. DPS&C-CS advises that impacts on offender populations are anticipated to impact the number of offenders held in local facilities, and that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities.

To the extent that offenders sustain a misdemeanor conviction for violation of the proposed law, local governing authorities will sustain Local Funds expenditures. The exact fiscal impact of the passage of this legislation to local governing authorities is indeterminable, since it is not known how many people will be convicted and incarcerated in local facilities, nor the length of the sentences assessed with those convictions as a result of its potential enactment.

Senate Dual Referral Rules
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House
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