

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



Fiscal Note On: **HB 159** HLS 14RS 514  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 8, 2014	3:37 PM	<b>Author:</b> SMITH, PATRICIA
<b>Dept./Agy.:</b> Corrections		<b>Analyst:</b> Stephanie C. Blanchard
<b>Subject:</b> Parole Eligibility		

PAROLE OR DECREASE GF EX See Note Page 1 of 1  
 Reduces length of time that must be served by certain offenders before becoming parole eligible

Present law provides that a person convicted of a crime of violence and not otherwise ineligible for parole shall serve at least 85% of the sentence imposed before being eligible for parole.

Proposed legislation changes present law to provide that a person convicted of a crime of violence and not otherwise ineligible for parole shall serve 65% of the sentence imposed for a first felony conviction and 75% of the sentence for a subsequent felony conviction before being eligible for parole.

<b>EXPENDITURES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

The proposed legislation may result in an indeterminable decrease in state general fund expenditures as a result of amending the parole eligibility for parole eligible offenders convicted of violent crimes. The exact fiscal impact of the passage of this legislation is indeterminable, since the legislation allows parole eligible offenders convicted of violent crimes to become parole eligible earlier and it is not known how many offenders will be granted parole. However, any offender released from a correctional facility and placed on parole supervision decreases expenditures of the Department of Corrections by \$21.85 (\$24.39 per day - \$2.54 parole supervision per day) per day per offender in local facilities. To the extent that offenders are released from state facilities, the decrease per day per offender is \$49.97 (\$52.51 per day - \$2.54 parole supervision per day).

Under current law, all parole eligible offenders convicted of a violent crime as listed in R.S. 14:2(B) are eligible for parole after serving 85% of their imposed sentence. The proposed legislation allows for offenders convicted of violent crimes to be eligible for parole after serving 65% of the sentence imposed for a first felony conviction and 75% of the sentence for a subsequent felony conviction before being eligible for parole.

According to the Department of Corrections, there are 7,783 parole eligible offenders incarcerated for violent crimes serving an average imposed sentence of 19 years. Under current law, using the average imposed sentence, an offender would be eligible for parole after serving 16.15 years (19 years x 85% imposed sentence). Under the proposed legislation, using the average imposed sentence, an offender would serve 12.35 years (19 years x 65% imposed sentence), a decrease of 6.65 years (19 years under current law - 12.35 years under proposed legislation). To the extent an offender, on average, served 6.65 less years, the savings to the state would be \$53,034 (6.65 less years x \$7,975 per year) if housed in a local facility and \$121,289 (6.65 less years x \$18,239 per year) if housed in a state facility.

Savings are more likely to be incurred for offenders housed at the local level due to state facilities backfilling beds in a more timely manner. Any savings may also be reduced by recidivism.

**REVENUE EXPLANATION**

The proposed legislation may result in an indeterminable increase in self-generated revenue as a result of offenders convicted of violent crimes becoming parole eligible earlier, thus being released into parole supervision. For each offender that is released to parole at an earlier date, the Department of Corrections could collect up to \$63 per month from each offender under parole supervision. It should be noted that the maximum amount paid per month is \$63 and the offender's ability and amount he is required to pay is determined by the Board of Parole.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>	<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	<i>Evan Brasseaux</i> <b>Evan Brasseaux</b> Staff Director
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {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}		