

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



Fiscal Note On: **HB 205** HLS 17RS 585  
 Bill Text Version: **ENROLLED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> June 6, 2017 12:41 PM	<b>Author:</b> BOUIE AND SMITH
<b>Dept./Agy.:</b> Corrections - Pardon Board	<b>Analyst:</b> Monique Appeaning
<b>Subject:</b> Applying for a pardon or commutation of sentence	

PARDON/PAROLE EN SEE FISC NOTE GF EX See Note Page 1 of 1

Provides relative to the length of time certain applicants are required to wait before applying for a pardon or commutation of sentence

Proposed law is relative to pardons and time periods in which persons serving a life sentence may apply for a pardon or commutation of sentence.

Present law provides that persons sentenced to life imprisonment are ineligible to apply to the Board of Pardons for a pardon or commutation of sentence for 15 years after being sentenced by the trial court. Proposed law amends present law to provide that a person is ineligible to apply for a pardon or commutation of sentence for 15 years after arrest.

<b>EXPENDITURES</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</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	<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>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

Proposed law will potentially result in a SGF cost savings for the Department of Public Safety and Corrections to the degree certain offenders become eligible and attain a pardon or commutation of sentence in less time than possible under present law.

The Department of Public Safety and Corrections - Corrections Services (DPSC) reports that this legislation would possibly result in a cost savings, as it reduces the length of time an applicant serving a life sentence is required to wait before filing for a pardon or communication of sentence. Proposed law may assist to help lifers to apply and possibly receive pardons or commutation of sentences earlier than before and may help reduce the prison population. In this instance, the exact fiscal impact is indeterminable since it is not known how many offenders will be granted pardon or commutation of sentence, even if eligible, as a result of the proposed changes. However, if an offender is pardoned, a savings of \$24.39 per day in a local facility or \$51.90 per day in a state facility will be realized. Currently, DPSC houses 50% of state offenders at the local level and 50% at the state level. Also, in the event there is a material workload increase for the pardon board, there may be a need for additional staff.

**REVENUE EXPLANATION**

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

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}

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**