

2023 Regular Session

HOUSE BILL NO. 542

BY REPRESENTATIVES HUGHES AND SCHEXNAYDER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BUDGETARY PROCEDURES: Provides relative to criminal justice reinvestment savings

1 AN ACT

2 To enact R.S. 15:827.3(C) and (D) and R.S. 17:1877 and to repeal R.S. 15:827.3(A)(2)(c)
3 and Section 3 of Act No. 748 of the 2022 Regular Session of the Legislature, relative
4 to criminal justice reinvestment; to provide relative to criminal justice reinvestment
5 savings; to provide for changes to the allocation of the savings; to create a fund to
6 provide post-secondary education and vocational training to incarcerated persons;
7 to provide for the transfer of monies into the fund; to provide for the administration
8 of the fund; to provide for reporting requirements; to provide for an effective date;
9 and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 15:827.3(C) and (D) are hereby enacted to read as follows:

12 §827.3. Savings attributable to criminal justice reforms; data collection and
13 reporting requirements to the Joint Legislative Committee on the Budget

14 * * *

15 C. Savings recognized in Fiscal Years 2017-2018 through 2021-2022 and
16 allocated to the Department of Public Safety and Corrections for targeted
17 investments in reentry services, community supervision, educational and vocational
18 programming, transitional work programs, and contracts with parish jails and other
19 local facilities that house state inmates to incentivize expansion of recidivism
20 reduction programming and treatment services shall not be continuous and

1 reoccurring savings and shall not be deemed bonafide obligations or carried forward
2 into any subsequent fiscal year.

3 D. Nothing in this Section shall change or impact the continuous and
4 reoccurring allocation of savings recognized in prior fiscal years and allocated to the
5 office of juvenile justice, the Louisiana Commission on Law Enforcement and
6 Administration of Criminal Justice, and sheriffs' offices for the purpose of
7 reinvestment as provided in Act No. 261 of the 2017 Regular Session.

8 Section 2. R.S. 17:1877 is hereby enacted to read as follows:

9 §1877. Reinvestment in Offender Education Fund

10 A. It is the intent of the legislature to provide incarcerated persons with the
11 education and training to find employment upon release from incarceration in order
12 to increase the likelihood of successful reentry into free society and to reduce
13 recidivism. To achieve that purpose, the legislature hereby designates the Louisiana
14 Community and Technical College System as the entity responsible for managing
15 post-secondary education and vocational training for incarcerated persons throughout
16 the state.

17 B.(1) There is hereby created in the state treasury, as a special fund, the
18 Reinvestment in Offender Education Fund, hereinafter referred to in this Section as
19 the "fund", which shall provide funding to the Louisiana Community and Technical
20 College System for post-secondary education and vocational training aimed at
21 recidivism reduction for adult and juvenile offenders.

22 (2) Monies in the fund shall be invested in the same manner as monies in the
23 general fund. Interest earned on investment of monies in the fund shall be credited
24 to the fund. Unexpended and unencumbered monies in the fund at the end of the
25 fiscal year shall remain in the fund.

26 (3) The state treasurer is directed to deposit into the fund at the beginning of
27 each fiscal year an amount sufficient to bring the unencumbered balance in the fund
28 to five million dollars.

1 (4) Monies from other sources, such as donations, appropriations, or
2 dedications, may be deposited in and credited to the fund. The unencumbered fund
3 balance provided for in Paragraph (3) of this Subsection shall not include monies
4 deposited into the fund pursuant to this Paragraph.

5 C. Monies in the fund shall be appropriated to the Board of Supervisors of
6 the Louisiana Community and Technical College System solely for the purposes of
7 this Section. Such funds shall be utilized in connection with any other available
8 sources of federal or state aid or training funds.

9 D. The fund is in addition to, and separate from, any monies allocated to the
10 institutions under the management and control of the board or any other
11 postsecondary education board. The availability of the fund shall not in any way
12 substitute, limit, or otherwise affect the allocation of any funds otherwise available
13 to those institutions under state or federal laws.

14 E. The Board of Supervisors of the Louisiana Community and Technical
15 College System shall enter into cooperative endeavor agreements with the
16 Department of Public Safety and Corrections and the Louisiana Workforce
17 Commission as necessary to implement the provisions of this Section.

18 F. The Louisiana Community and Technical College System shall provide
19 a report to the legislature by December fifteenth of each year, which shall include but
20 not be limited to the following:

21 (1) A detailed description of the number of people educated and trained
22 categorized by age, race, gender, and geographic region.

23 (2) A detailed description of the credentials issued.

24 (3) The average expenditure per student educated or trained.

25 (4) The percentage of the eligible population who participated in education
26 or training.

27 Section 3. R.S. 15:827.3(A)(2)(c) and Section 3 of Act No. 748 of the 2022 Regular
28 Session of the Legislature are hereby repealed in their entirety.

1 Section 4. This Act shall become effective on July 1, 2023; if vetoed by the governor
2 and subsequently approved by the legislature, this Act shall become effective on July 1,
3 2023, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 542 Original

2023 Regular Session

Hughes

Abstract: Changes allocations of funds for criminal justice reinvestment.

Present law requires the Dept. of Public Safety and Corrections (DPS&C) to calculate annual savings realized as a result of criminal justice reinvestment legislation enacted in the 2017 R.S. and thereafter.

Present law allocates the annual savings each fiscal year as follows:

- (1) 15% to DPS&C to award incentive grants to parishes, judicial districts, and nonprofit community partner organizations to expand evidence-backed prison alternatives and reduce admissions to the state prison system.
- (2) 10% to the La. Commission on Law Enforcement and the Administration of Criminal Justice to award competitive grants for victim services.
- (3) 45% to the La. Community and Technical College System (LCTCS) for targeted investments in educational and vocational training aimed at recidivism reduction programing for adult and juvenile offenders. Proposed law further requires the La. Community and Technical College System to report to the legislature by Dec. 15th of each year.

Proposed law removes the allocation to the LCTCS and instead creates a separate special fund in the state treasury for the administration of LCTCS for the same purposes.

Proposed law retains present law reporting requirement for LCTCS.

Present law (Section 3 of Act No. 748 of the 2022 R.S.) provides that the changes made in Act No. 748 of the 2022 R.S. do not change or impact the savings recognized in FY 17-18 through 21-22 or change or impact the continuous and reoccurring allocation of savings recognized in these prior fiscal years and allocated to the DPS&C, the office of juvenile justice, the La. Commission on Law Enforcement and Administration of Criminal Justice, and sheriffs' offices for the purpose of reinvestment as provided in Act No. 261 of the 2017 R.S.

Proposed law retains the provisions of present law relative to the continuous and reoccurring allocation of savings recognized in prior fiscal years and allocated to the office of juvenile justice, the La. Commission on Law Enforcement and Administration of Criminal Justice, and sheriffs' offices.

Proposed law repeals the provisions of present law relative to the continuous and reoccurring allocation of savings recognized in prior fiscal years and allocated to the DPS&C for targeted investments in reentry services, community supervision, educational and vocational programming, transitional work programs, and contracts with parish jails and other local

facilities that house state inmates to incentivize expansion of recidivism reduction programming and treatment services and provides that those savings shall not be continuous and reoccurring savings and shall not be deemed bonafide obligations or carried forward into any subsequent fiscal year.

Effective July 1, 2023.

(Adds R.S. 15:827.3(C) and (D) and R.S. 17:1877; Repeals R.S. 15:827.3(A)(2)(c) and Section 3 of Act No. 748 of the 2022 R.S.)