



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 10** HLS 242ES 14
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: February 16, 2024 11:00 AM	Author: VILLIO
Dept./Agy.: Corrections	
Subject: Removal of Eligibility for Credit Served for Good Behavior	Analyst: Daniel Druilhet

CRIMINAL/SENTENCING OR INCREASE GF EX See Note Page 1 of 1
 Provides relative to diminution of sentence (Item #2)

Current law allows a person convicted of an offense to be eligible to earn a diminution of his sentence (or earn credit/time served for good behavior), with exceptions - those considered habitual offenders, those who in the trial court's discretion are ineligible for diminution of sentence due to stalking, those who have been convicted of a second crime considered a crime of violence, and those who are sex offenders. Current law allows offenders to earn 13 days of credit/time served for every 7 days of good behavior for those convicted of non-violent offenses; 2 days of credit/time served for every 1 day of good behavior for those with fourth or subsequent convictions; and 1 day of credit/time served for every 3 days of good behavior for violent offenders. Current law allows pretrial credit to be considered for an offender seeking a diminution of his sentence. Proposed law amends current law to prohibit any person who commits an offense on or after August 1, 2024, to be entitled to any diminution of sentence or credit for good time that exceeds 15% of the sentence imposed, with the exception that those who have committed sex offenses are prohibited from being eligible to earn any diminution of sentence; amends current law to provide for additional diminution of sentence opportunities relative to classification and treatment programs under the Department of Public Safety & Corrections (DPS&C); removes the consideration for pretrial credit for diminution of sentences.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	\$0	\$0	\$0	\$0	\$0	\$0

Annual Total

REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0

Annual Total

EXPENDITURE EXPLANATION

Proposed law will likely result in a significant increase in SGF expenditures to the Department of Safety and Corrections - Corrections Services (DPS & C - CS) to the extent that all credits for time served pre-trial would be forfeited and credits earned/time served for good behavior (currently available to offenders to reduce their sentences to 35%, 65%, or 75% of the sentences imposed) would be limited to 15% of sentences imposed. Proposed law will result in an increase in the number of days inmates are incarcerated.

SGF expenditures will increase by \$107.60 per offender per day to the extent that an offender currently incarcerated in a state facility has sentencing diminution limited to 15% of his sentence imposed or loses all credits for time served pre-trial and remains housed for a longer period of time or \$26.39 per offender per day for an offender housed in a local facility. An offender sentenced to the custody of the DPSC - CS for one year would increase expenditures by \$39,274 (\$107.60 per day x 365 days) if housed in a state facility and \$9,632.35 (\$26.39 per day x 365 days) if housed in a local facility.

Note: DPS&C-CS estimates that SGF expenditures will increase by no less than \$5 M in FY 26 as a result of this measure. The LFO is working to corroborate cost information from DPS&C-CS regarding the method used in calculating this increase for FYs 26 through 29.

REVENUE EXPLANATION

Proposed law will likely result in an indeterminable decrease in self-generated revenue to DPS&C - Probation and Parole to the extent any offender remains in custody longer and has sentencing diminution limited to 15% of the sentence imposed. The current daily parole supervision rate for adult offenders is \$5.43 per day, which would result in an annual loss of \$1,981.95 (\$5.43 x 365) per offender in parole supervision SGR.

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}

Alan M. Boxberger
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 Legislative Fiscal Officer