LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 414** HLS 11RS 240
Bill Text Version: **ENROLLED**
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: June 20, 2011 9:32 AM
Author: LOPINTO
Dept./Agy.: Corrections
Subject: Diminution of Sentence
Analyst: Matthew LaBruyere

CRIMINAL/SENTENCING EN NO IMPACT See Note
Revises and consolidates statutes providing for the diminution of sentence

Proposed legislation amends present law regarding credit for prior custody to include as follows: a defendant shall receive credit only for time in actual custody once during any calendar month when consecutive sentences are imposed, no defendant shall receive credit for any time served prior to the commission of the crime, a defendant shall not receive credit for time served under home incarceration, and a defendant shall not receive overlapping jail credit, except in the instance of concurrent sentences and then only for time spent in jail on the instant felony. Proposed legislation provides that when a sheriff's post-sentence statement is required, the clerk of court include in the accompanying documents a copy of the Uniform Sentencing Commitment Order in the format authorized by the La. Supreme Court which include the name and address of those who participated in the sentencing trial. Proposed legislation provides that the diminution of sentence rate only apply to those persons sentenced on or after Aug. 15, 2011.

EXPENDITURES	**2011-12**	**2012-13**	**2013-14**	**2014-15**	**2015-16**	**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	$0	$0	$0	$0	$0	**$0**
Annual Total	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**

REVENUES	**2011-12**	**2012-13**	**2013-14**	**2014-15**	**2015-16**	**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	$0	$0	$0	$0	$0	**$0**
Annual Total	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**

EXPENDITURE EXPLANATION

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

The legislation is technical in nature as the provisions deal with consolidating statutes and amending redundancies.

REVENUE EXPLANATION

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

Senate Dual Referral Rules House

☐ 13.5.1 >= $100,000 Annual Fiscal Cost {S&H}
☐ 13.5.2 >= $500,000 Annual Tax or Fee Change {S&H}
☐ 6.8(F)1 >= $500,000 Annual Fiscal Cost {S}
☐ 6.8(F)2 >= $100,000 Annual SGF Cost {H&S}
☐ 6.8(G) >= $500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

Evan Brasseaux
Staff Director