

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



Fiscal Note On: **SB 89** SLS 13RS 373  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 24, 2013 6:56 AM	<b>Author:</b> APPEL
<b>Dept./Agy.:</b> Education	<b>Analyst:</b> Mary Kathryn Drago
<b>Subject:</b> Tenure	

TENURE OR SEE FISC NOTE LF EX Page 1 of 1  
 Provides relative to tenure for teachers and certain other school employees. (7/1/2013)

The proposed legislation restates and makes technical corrections to provisions in current law as enacted by Act 1 of the 2012 Regular Legislative Session. The legislation restates the following sections: definition of teacher, tenure for teachers, removal of teachers (procedure and right to appeal), probationary term and tenure, and restates promotions into positions of higher salary and tenure but also makes technical changes in the section. The legislation also continues to repeal sections that were previously repealed in Act 1 of 2012.

<b>EXPENDITURES</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</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	SEE BELOW					
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</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>\$0</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**

The proposed legislation does not change the provisions relative to teacher tenure and the removal process of teachers that were enacted through Act 1 of the 2012 Regular Legislative Session. The proposed legislation simply restates some of the same provisions that were included in Act 1 of 2012.

There is no anticipated change in expenditures as a result of the proposed legislation, unless any section of current law is ultimately found to be invalid, unlawful, or unconstitutional. Any impact will depend upon the final determination of the court, and then any subsequent changes to the provisions. It is not possible to determine any potential impact until a final ruling is made.

A ruling by Judge Michael Caldwell declared all of Act 1 to be unconstitutional because the legislation did not meet the "one object" requirement in the constitution. The ruling has been appealed, but the state Supreme Court has not made a ruling regarding this program at the time this fiscal note was prepared.

**REVENUE EXPLANATION**

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

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|---|--|--------------|
| <u>Senate</u>   | <u>Dual Referral Rules</u>   | <u>House</u> |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       | <input type="checkbox"/> 6.8(F) >= \$500,000 Annual Fiscal Cost {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} |              |

*Evan Brasseaux*  
**Evan Brasseaux**  
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