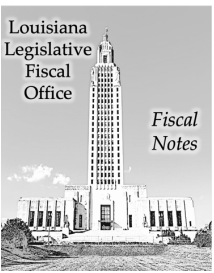


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 14** HLS 242ES 30
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: February 16, 2024 8:45 PM **Author:** WRIGHT
Dept./Agy.: Corrections **Analyst:** Daniel Druilhet
Subject: Denial of Parole for Dangerous Offenders

PAROLE OR INCREASE GF EX See Note Page 1 of 1
 Provides relative to denial of parole for dangerous offenders (Item #1)

Proposed law provides that a district attorney may allege that a person is a dangerous offender when filing an information accusing that person of a previous conviction designating him as a dangerous offender. Proposed law also provides that the court is mandated to hold a hearing to determine whether the person is a dangerous offender and, if it reaches that conclusion, may order that the sentence imposed be without benefit of parole, probation, or suspension of sentence until 85% of the sentence is served. Proposed law provides an enumerated list of crimes for which a person has been previously convicted and other factors that can be used to allege that the person is a dangerous offender. Proposed law provides that if a court imposes a sentence to be served without the benefit of parole, probation, or suspension of sentence, that it state for the record considerations taken into account and the factual basis for its determination. Proposed law shall not apply to any sentence already designated to be served without probation, parole, or suspension of sentence.

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 may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPSC – CS) to the extent that, after a hearing to determine whether the person is a dangerous offender, he is subsequently convicted of the crime for which he has been accused and ordered to serve the resulting sentence without benefit of parole, probation, or suspension of sentence until 85% of the sentence is served. Proposed law will result in an increase in the number of days inmates are incarcerated. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many people will be adjudged as dangerous offenders, subsequently convicted, and then assessed a sentence without the benefit of parole, probation, or suspension of sentence until 85% of the sentence is served.

SGF expenditures will increase by \$101.76 per offender per day to the extent that an offender is convicted and then subsequently housed in a state facility or \$26.39 per offender per day for a state offender housed in a local facility. An offender sentenced to the custody of the DPSC – CS for one year would increase expenditures by \$37,142.40 (\$101.76 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.

For informational purposes, DPS&C-CS reports that on average, for the last three years, 27,227 inmates (which represents 97% of the overall total prison population consisting of 28,189 inmates) have been incarcerated for the list of crimes proposed law will include as dangerous offenses (crimes of violence, sex offenses, production or manufacture of a controlled dangerous substance, violations of the Louisiana Racketeering Act, and violations of the Louisiana Street Terrorism and Prevention Act). Proposed law, if enacted, would allow district attorneys to allege that persons accused of previous convictions are dangerous offenders, and subsequently allow up to 97% of the current prison population to be subject to complete 85% of sentences imposed.

The LFO cannot determine how many inmates would be sentenced under the dangerous offender provision of the proposed law. However, if only 3 offenders were sentenced under this provision and housed in a state facility, the expenditure impact would exceed \$100,000 SGF.

REVENUE EXPLANATION

There will be an indeterminable decrease in self-generated revenue to DPS&C – Probation and Parole to the extent any offender is required to serve a longer duration of sentencing and forfeits credits for good time toward his parole supervision date pursuant to proposed law. 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) in parole supervision SGR for each adult offender.

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}

Patrice Thomas
Deputy Fiscal Officer