

Regular Session, 2014

HOUSE BILL NO. 562

BY REPRESENTATIVE LOPINTO

PUBLIC SFTY/CORRECTIONS: Requires DPS&C to reimburse sheriffs for housing parolees who are arrested pending the parole revocation hearing

1 AN ACT

2 To enact R.S. 15:824(B)(1)(e), relative to housing of inmates; to provide relative to the
3 housing of persons committed to the custody of the Department of Public Safety and
4 Corrections who are released on parole and are subsequently arrested; to require the
5 department to reimburse sheriffs for the housing of these inmates in parish jails; to
6 provide for effectiveness; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:824(B)(1)(e) is hereby enacted to read as follows:

9 §824. Commitment of persons to the Department of Public Safety and Corrections

10 * * *

11 B.(1)

12 * * *

13 (e)(i) For Fiscal Year 2014 -2015, for any person committed to the
14 department who is released on parole and who is subsequently arrested and housed
15 in a parish jail while awaiting a parole revocation hearing, the department shall
16 reimburse the sheriff, or the governing authority of those parishes in which the
17 governing authority operates the parish jail, at the rate of fifty percent of an amount
18 equal to the rate provided for in the provisions of Subparagraph (a) of this Paragraph
19 less the sum of any monies received from the parish governing authority for the
20 purpose of housing such persons pursuant to the provisions of R.S. 13:5535(1), for

1 each day that the person is housed in the parish jail from the time of arrest until the
2 person either pleads guilty to the subsequent charge or until the committee on parole
3 makes its determination regarding parole revocation, whichever occurs first.

4 (ii) For Fiscal Year 2015 -2016, and thereafter, for any person committed to
5 the department who is released on parole and who is subsequently arrested and
6 housed in a parish jail while awaiting a parole revocation hearing, the department
7 shall reimburse the sheriff, or the governing authority of those parishes in which the
8 governing authority operates the parish jail, at the rate provided for in the provisions
9 of Subparagraph (a) of this Paragraph less the sum of any monies received from the
10 parish governing authority for the purpose of housing such persons pursuant to the
11 provisions of R.S. 13:5535(1), for each day that the person is housed in the parish jail
12 from the time of arrest until the person either pleads guilty to the subsequent charge
13 or until the committee on parole makes its determination regarding parole
14 revocation, whichever occurs first.

15 * * *

16 Section 2. The provisions of this Act shall be effective upon the appropriation of
17 funds for such purpose.

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)]

Lopinto

HB No. 562

Abstract: Requires the Dept. of Public Safety and Corrections to reimburse sheriffs for the housing of persons committed to the custody of the department who are released on parole and are subsequently arrested.

Present law provides that for any individual committed to the custody of DPS&C who is housed in a parish jail or institution after final sentence, the department shall pay to each parish sheriff, or to the governing authority of those parishes in which the governing authority operates the parish jail, for keeping and feeding the individual in the parish jail the sum of \$24.39 per day. Such daily sum shall be paid from date of sentencing until the individual is confined in a penal or correctional institution under the supervision of the department.

Present law provides that the parish governing authority shall provide the sheriff with a per diem for each prisoner of not less than \$3.50 to defer the costs of keeping and feeding of prisoners in jail.

Proposed law retains present law and requires DPS&C to reimburse sheriffs for the housing of persons committed to the custody of the department who are released on parole and are subsequently arrested at the following rates:

- (1) For FY 2014-2015, at the rate of 50% of an amount equal to the rate of reimbursement provided by DPS&C to the sheriffs pursuant to present law less the sum of any monies received from the parish governing authority for the purpose of housing such persons pursuant to present law.
- (2) For FY 2015-2016 and thereafter, at an amount equal to the rate of reimbursement provided by DPS&C to the sheriffs pursuant to present law less the sum of any monies received from the parish governing authority for the purpose of housing such persons pursuant to present law.

Provides that the provisions of proposed law shall be effective upon the appropriation of funds for such purpose.

(Adds R.S. 15:824(B)(1)(e))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Added a provision which states that for FY 2014-2015, the reimbursement shall be at a rate of 50% of an amount equal to the rate of reimbursement provided by DPS&C to the sheriffs pursuant to present law less the sum of any monies received from the parish governing authority for the purpose of housing such persons pursuant to present law.
2. Added language to specifically refer to the provision of present law which provides that the parish governing authority shall provide the sheriff with a per diem for each prisoner of not less than \$3.50 to defer the costs of keeping and feeding of prisoners in jail.
3. Provided that the provisions of proposed law shall be effective upon an appropriation by the legislature for such purposes.