

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 258** HLS 19RS 642

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 6, 2019	7:09 PM	Author: MUSCARELLO
Dept./Agy.: Department of Public Safety and Corrections (DPSC)		Analyst: Monique Appeaning
Subject: Confidentiality of Certain Info in Executions of Death Cases		

PUBLIC RECORDS

EG SEE FISC NOTE GF EX

Page 1 of 1

Provides for the confidentiality of identifying information of certain persons or entities involved in the execution of a death sentence

Proposed law adds to **present law** "the identity of any person or entity that manufactures, supplies, transports, procures, compounds, dispenses, prescribes, synthesizes, prepares, tests, uses, sells, imports, distributes, or administers any substance, medical supplies, or medical equipment utilized in the execution of a death sentence shall remain strictly confidential. The identify of such person or entity, and any information about such person or entity which could lead to the determination of the person's or entity's identity, shall not be subject to public disclosure in any manner. Any information contained in records that identifies or could identify and such person or entity shall remain confidential, shall not be subject to disclosure, and shall not be admissible as evidence nor discoverable in any proceeding before any court, tribunal, board, agency, commission, legislative or quasi-legislative body, or person." **Proposed law** adds to **present law** "a person or entity that manufactures, supplies, transports, procures, compounds, dispenses, prescribes, synthesizes, prepares, tests, uses, sells, imports, distributes, or administers any substance, medical supplies, or medical equipment utilized in the execution of a death sentence includes but is not limited to any pharmacist, pharmacy, wholesale drug distributor, or outsourcing facility, including any officer, that supplies any substance, medical supplies, or medical equipment to DPSC for use in the execution of a death sentence."

EXPENDITURES	2019-20	2020-21	2021-22	2022-23	2023-24	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						

REVENUES	2019-20	2020-21	2021-22	2022-23	2023-24	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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law will not result in an expenditure impact to the Department of Public Safety and Corrections - Correction Services.

NOTE #1: For informational purposes the Public Defender Board reported to the LFO that similar laws enacted in other states resulted in litigation. To the extent similar legal challenges may arise, the state may realize a potential significant expenditure increase, assumed to be SGF.

NOTE #2: The Clerks of Court Association reports because the clerks are custodians of all court records, if there is pending litigation on this subject matter, the cost to the clerks would be negligible.

REVENUE EXPLANATION

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

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}

Evan Brasseaux

Evan Brasseaux
Staff Director