

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 652** HLS 21RS 963

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 1, 2021	10:37 AM	Author: GLOVER
Dept./Agy.: Court/Local governmental entities		Analyst: Rebecca Robinson
Subject: Penalties for possession of marijuana		

CONTROLLED SUBSTANCES OR DECREASE LF EX See Note
Provides relative to penalties for possession of marijuana

Page 1 of 1

Proposed law reduces the criminal penalties for the conviction of the possession of marijuana when the offender possesses 14 grams or less. Present law provides the criminal penalty of a fine up to \$300 and imprisonment for not more than 15 days, or both. Proposed law reduces the penalty to a fine of \$50 and imposes no jail time. Proposed law provides that if an offender alleges indigency, the court shall use its discretion to find alternatives to full payment, including installment payments or community service. Proposed law provides for enforcement by use of summons in lieu of custodial arrest.

EXPENDITURES	2021-22	2022-23	2023-24	2024-25	2025-26	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	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total						

REVENUES	2021-22	2022-23	2023-24	2024-25	2025-26	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	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total						

EXPENDITURE EXPLANATION

There is no direct material effect on the Department of Public Safety & Corrections - Corrections Services (DPS&C) expenditures as a result of the proposed measure. The possession of marijuana, 14 grams or less, is a misdemeanor; therefore, these offenders are not in the custody of DPS&C. Local law enforcement agencies will realize an indeterminable decrease in expenditures associated with the removal of jail time as a penalty for the possession of marijuana, 14 grams or less.

REVENUE EXPLANATION

There will be an indeterminable decrease in self-generated revenue to the District Attorney's, the Louisiana Public Defender Board, Clerk of Courts, Sheriff's Departments, and other local governmental entities as a result of the reduction of the fine for the conviction of the possession of marijuana, 14 grams or less, from \$300 to \$50.

For illustrative purposes, the Louisiana Commission on Law Enforcement (LCLE) reports there were 18,943 arrests for the possession of marijuana under R.S. 40:966 in 2019. LCLE was unable to distinguish those arrests where the amount in possession was 14 grams or less.

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}

Alan M. Boxberger

Alan M. Boxberger
Staff Director