

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 313** SLS 14RS 546

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 28, 2014	2:03 PM	Author: WHITE
Dept./Agy.: Corrections		Analyst: Stephanie C. Blanchard
Subject: Home invasions		

CRIME/PUNISHMENT

EG INCREASE GF EX See Note

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Provides for a five year minimum sentence for home invasions. (gov sig)

Present law provides penalties for the crime of home invasion and provides that whoever commits the crime of home invasion armed with a dangerous weapon is to be fined up to \$7,000 and imprisoned at hard labor for up to 30 years. Proposed law retains present law and adds whoever commits the crime of home invasion armed with a dangerous weapon is to be imprisoned for a minimum of five years. Effective upon signature of the governor.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						
REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	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

The proposed legislation may result in an indeterminable increase in state general fund expenditures if a defendant is convicted of the crime of home invasion. Proposed law adds whoever commits the crime of home invasion armed with a dangerous weapon is to be imprisoned for a minimum of five years. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many individuals will be convicted of this crime.

According to the Department of Corrections there are currently 120 offenders incarcerated for home invasion. In 2013, there were 29 admissions with an average sentence length of 7.5 years and an average time served of approximately 2 years based on 2013 releases. However, any offender sentenced to the custody of the Department of Public Safety and Corrections increases expenditures by \$24.39 per day per offender in local facilities. To the extent an offender serves an additional 3 years, the cost in a local facility would be \$26,707 (\$24.39 per day x 365 days x 3 years).

To the extent that offenders are sentenced and housed in state facilities, the cost per day per offender is \$52.51. Therefore, for any offender convicted of this crime and serves an additional 3 years, the cost in a state facility would be \$57,498 (\$52.51 per day x 365 days x 3 years).

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"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & 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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