

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 297** HLS 15RS 989

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 15, 2015	4:26 PM	Author: BURRELL
Dept./Agy.: Corrections		Analyst: Monique Appeaning
Subject: Theft of livestock and theft of timber		

CRIME OR DECREASE GF EX See Note Page 1 of 1
Creates the crimes of theft of livestock and theft of timber

Present law provides for the general crime of theft. Proposed law retains the present law and reenacts the provisions of law regarding theft of livestock and theft of timber that were repealed by Act No. 255 of the 2014 Regular Session. (Revised Statutes 14:67.1 and 67.2) It provides for criminal penalties including a fine of five thousand dollars, imprisonment with or without hard labor, for not more than ten years, or both. Also, for the crime of theft of timber, this legislation provides for criminal penalties depending upon the value of the timber taken.

EXPENDITURES	2015-16	2016-17	2017-18	2018-19	2019-20	5 -YEAR TOTAL
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
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>	\$0
Annual Total						
REVENUES	2015-16	2016-17	2017-18	2018-19	2019-20	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

The proposed legislation may result in an indeterminable but likely marginal decrease in state general fund expenditures as a result of changes to the sentencing guidelines. Current law provides for a minimum of 5 years imprisonment for certain offenses and a maximum of 20 years imprisonment for certain offenses. This legislation eliminates the minimum 5 years and reduces the 20 years maximum to a 10 year maximum for certain offenses.

Expenditures will decrease annually by \$18,841 (\$51.62 per day x 365 days) for offenders housed in state facilities and by \$8,902 (\$24.39 per day x 365 days) for state offenders housed in local facilities. Approximately 50% of state offenders are housed in state facilities and approximately 50% of state offenders are housed in local facilities.

There is no impact for the Livestock Brand Commission as it currently provides enforcement and collection of information in such cases and livestock brand inspectors aid all law enforcement agencies in such investigations. Also, there is no impact to the Department of Agriculture and Forestry's Enforcement Division as it currently provides for the central registry of information relating to theft of timber as well as aids all law enforcement agencies in investigations of violations of the provisions of this proposed law.

REVENUE EXPLANATION

The proposed legislation may result in reduction in revenue as result of a reduction in potential fines.

Timber Theft

The proposed legislation reduces the fine assessed to timber valued at twenty-five thousand dollars or more from not more than fifty thousand dollars to not more than five thousand dollars.

This legislation also changes the fine assessed to timber valued less than twenty-five thousand dollars from not more than ten thousand dollars to not more than five thousand dollars.

Livestock Theft

The proposed legislation establishes a set fine for livestock of not more than five thousand dollars. Current law provides for a high of fifty thousand dollars (based on value). The proposed legislation does not include value as a factor for livestock.

This revenue change will impact the local governing authority.

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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 Rev. Red. to State {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} |

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