

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 118** SLS 26RS 446

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

| | | |
|---|---------|----------------------------------|
| Date: April 1, 2026 | 5:27 PM | Author: BOUDREAUX, GERALD |
| Dept./Agy.: Sheriffs and State Police | | Analyst: Daniel Druilhet |
| Subject: Substance Abuse Disorder Screening-Misdemeanor DUIs | | |

CRIME/PUNISHMENT

EG NO IMPACT See Note

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Provides for substance use disorder screening of all misdemeanor DUI offenders. (8/1/26)

Current law provides for the offense of operating while impaired; provides that a person who is convicted for a first or second offense of operating a vehicle while impaired and who had a blood alcohol content that was between .08 and .15 percent by weight based on grams of alcohol per 100 cubic centimeters of blood at the time the offense was committed will be imprisoned for not less than 10 days nor more than six months, without suspension of sentence, unless placed on probation including the conditions that he (1) serve 48 hours in jail, or in lieu thereof, perform no less than 32 hours of community service, (2) participate in a substance abuse program, (3) participate in a driver improvement program, and (4) not operate a motor vehicle during his probation period, for no less than six months, unless it is equipped with a functioning ignition interlock device. Proposed law provides that a substance abuse program must include a screening to determine if the offender is at risk for a substance abuse disorder; provides that the screening must be evidence-based and validated for the impaired driving population; provides that if a screening indicates that the offender is at risk for a substance abuse disorder, the court may order that an assessment be performed by a licensed clinician to determine if the offender has a substance abuse disorder; provides that the mandatory screening will be confidential and reported to the court, prosecuting attorney, and offender's attorney.

| EXPENDITURES | 2026-27 | 2027-28 | 2028-29 | 2029-30 | 2030-31 | 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 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

| REVENUES | 2026-27 | 2027-28 | 2028-29 | 2029-30 | 2030-31 | 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 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure. The proposed law updates current law to mandate that a court-approved substance abuse program, to which a person convicted of driving while impaired is sentenced to probation (in lieu of imprisonment), include substance abuse screening. Because the substance abuse screening is to be included within an already court-approved substance abuse program, there is no expectation that expenditures will be impacted.

For informational purposes, substance abuse screenings may not be readily available in all parts of the State, specifically in rural areas. This fiscal note presumes that to the extent that rural jurisdictions may experience any degree of difficulty in securing these services for those offenders sentenced to a mandated court-approved substance screening, those jurisdictions will be able to absorb any expenditures associated with them.

REVENUE EXPLANATION

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

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Patrice Thomas
Deputy Fiscal Officer