

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 370** HLS 23RS 524

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 31, 2023	1:35 PM	Author: LANDRY
Dept./Agy.: Corrections		Analyst: Daniel Druilhet
Subject: Criminal Blighting of Property		

CRIMINAL/PENALTIES EN INCREASE GF EX See Note
Provides relative to criminal blighting of property

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Current law provides the definition of criminal blighting of property and penalties assessed for its violation.

Proposed law amends current law by adjusting the definition of criminal blighting of property by removing the requirement that the offense occur after review and appeal. Proposed law amends current law to assess penalties for conviction of criminal blighting of property as follows - on 1st conviction, a fine of not more than \$500 per violation and makes optional the requirement that an offender correct violations on blighted property within a timely manner determined by the court; on 2nd conviction and after ordered to correct violations by the court, a fine of not more than \$1,000 per violation or imprisonment for not more than six months with a requirement to correct all violations; on 3rd or subsequent conviction, and after failure to correct all violations after a 2nd conviction, a fine of no more than \$2,000 per violation or imprisonment for not more than 1 year with or without hard labor. Proposed law provides that the sentence of imprisonment associated with a third or subsequent conviction of criminal blighting of property shall not be imposed when the property is a single family residence occupied by the defendant at the time of the violation.

EXPENDITURES	2023-24	2024-25	2025-26	2026-27	2027-28	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>	\$0
Annual Total						

REVENUES	2023-24	2024-25	2025-26	2026-27	2027-28	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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

EXPENDITURE EXPLANATION

Proposed law will likely result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPSC – CS) to the extent that a person on second, third, or subsequent offense is convicted of committing criminal blighting of property. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many people will be convicted or the length of sentences imposed on those who are convicted as a result of this change to present law.

SGF expenditures will increase by \$101.76 per offender per day to the extent that an offender is convicted and then housed in a state facility or \$26.39 per offender per day for an offender housed in a local facility. Proposed law is a misdemeanor offense, and the maximum fiscal impact per offender per offense will vary depending upon whether the offense for which the offender was convicted resulted in a second, third, or subsequent conviction (i.e. sentences of no more than six months or one year).

REVENUE EXPLANATION

Proposed law will likely result in an indeterminable increase in local revenues as a result of potential fines for being convicted of criminal blighting of property. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because while fines imposed for conviction of the proposed legislation are mandatory, the amount assessed for each fine may fluctuate.

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
Interim Deputy Fiscal Officer