

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 441** HLS 23RS 663

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 31, 2023	2:57 PM	Author: BRYANT
Dept./Agy.: Corrections		Analyst: Daniel Druilhet
Subject: Assault Upon a Utility Service Employee		

CRIME/ASSAULT EN SEE FISC NOTE GF EX See Note
Provides relative to assault upon a utility service employee

Page 1 of 1

Current law provides the definitions of utility service and utility service employee for purposes of the crime of aggravated assault upon a utility service employee.

Proposed law amends the current law definition of utility service to add heat, steam, and sewer services. Proposed law amends the current law definition of utility service employee to include any person employed under contract of any utility service that provides electricity, gas, water, broadband, cable television, heat, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.

EXPENDITURES	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>	<u>5 -YEAR TOTAL</u>
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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPSC – CS) if a person is convicted of aggravated assault upon a utility service employee. The exact impact of the passage of this legislation on SGF expenditures is indeterminable, since it adds certain types of utility service employees to the class of victims for which a person can be convicted of aggravated assault upon a utility service employee.

SGF expenditures will increase by \$101.76 per offender per day to the extent that an offender is convicted and then subsequently housed in a state facility or \$26.39 per offender per day for an offender housed in a local facility. An offender sentenced to the custody of the DPSC – CS for one year would increase expenditures by \$37,142.40 (\$101.76 per day x 365 days) if housed in a state facility and \$9,632.35 (\$26.39 per day x 365 days) if housed in a local facility.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of potential fines for convictions of aggravated assault upon a utility service employee. The maximum fine for conviction of aggravated assault upon a utility service employee is \$2,000. The exact impact on revenue is indeterminable because proposed law expands the class of victims for which a person can be convicted of aggravated assault upon a utility service employee, and there is no way to determine the number or amount of fines that will be assessed to those convicted due to the change in current law. The potential revenue will accrue to the local governing authority.

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}

Evan Brasseaux

Evan Brasseaux
Interim Deputy Fiscal Officer