

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 54** SLS 23RS 217

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action: **w/ HSE FLOOR AMD**

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> June 5, 2023	5:19 PM	<b>Author:</b> MORRIS, JAY
<b>Dept./Agy.:</b> Department of Public Safety		<b>Analyst:</b> Daniel Druilhet
<b>Subject:</b> Police Officer Arrests for Certain Misdemeanors and Felonies		

CRIMINAL PROCEDURE

REF SEE FISC NOTE LF EX See Note

Page 1 of 1

Repeals provisions relative to police officers making arrests for certain misdemeanors and felonies. (8/1/23)

Current law requires an officer to issue a summons for misdemeanor offenses, felony theft or illegal possession of stolen things (FTIPST), where the value of the thing is \$500 or more but less than \$1,000 (unless certain circumstances exist), or issuing worthless checks (IWC) (unless certain circumstances exist). Proposed law removes the requirement that law enforcement officer (LEO) issue a summons and states that a LEO may issue a summons instead of making an arrest for misdemeanor or FTIPST, where the value of the thing is less than \$1,000, if certain circumstances exist) - if the LEO has no reasonable grounds to believe (RGB) that the person will cause injury to himself or another or damage property or will continue to commit a same or similar offense unless immediately arrested and booked, there is no necessity to book the person to comply with routine identification procedures, and if the LEO (issuing a summons for FTPST) has ascertained the person has no prior criminal convictions. Proposed law states that a LEO may issue a summons instead of making an arrest when he has RGB that a person has committed the offense of IWC if the following circumstances exist - he has RGB that the person will appear upon summons and he has no RGB that the person will cause injury to himself of another or damage property unless immediately arrested; mandates LEO make custodial arrest when he has RGB person committed a domestic-violence related offense.

<b>EXPENDITURES</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>2027-28</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW					
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>2027-28</b>	<b>5 -YEAR TOTAL</b>
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Local Funds	SEE BELOW					
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law may result in an indeterminable increase in local expenditures to the extent that law enforcement officers exercise their discretion and make arrests instead of issuing summons for misdemeanor offenses, felony theft or possession of stolen things, where the value of the thing less than \$1,000, or issuing worthless checks. Proposed law will also result in an increase in local expenditures to the extent that law enforcement officers are required to make custodial arrests when they have reasonable grounds to believe that an offender has committed a domestic-violence related offense. Local expenditures to house an offender vary, and proposed law will increase local expenditures contingent on costs assumed by the respective jurisdiction that houses the offenders arrested. The exact fiscal impact of the passage of the proposed law is indeterminable, since it is not known how many people (if any) will be arrested and confined in a local facility pending subsequent legal action as a result of this change to present law.

**REVENUE EXPLANATION**

Proposed law may result in an indeterminable increase in local revenues to the extent that law enforcement officers exercise their discretion to make arrests, and fees assessed with bail are paid and ultimately inure to the benefit of the local jurisdiction. The exact fiscal impact of the passage of the proposed law on local revenues is indeterminable, since it is not known how many people will be arrested and subsequently assigned bail or the amount of bail assigned as a result of this change to present law.

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**