

**LEGISLATIVE FISCAL OFFICE
Fiscal Note**



Fiscal Note On: **SB 105** SLS 24RS 196
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: March 8, 2024 4:16 PM **Author:** SEABAUGH
Dept./Agy.: Corrections and Sheriffs **Analyst:** Daniel Druilhet
Subject: Carrying a Concealed Weapon by Convicted Felons

CRIME/PUNISHMENT OR INCREASE GF EX See Note Page 1 of 1

Provides relative to the crime of possession of or carrying a concealed weapon by a person convicted of certain felonies. (8/1/24)

Current law makes it unlawful for any person who has been convicted of, or has been found not guilty by reason of insanity for, a crime of violence, which is a felony, or a delineated list of other crimes including, but not limited to, simple burglary, burglary of a pharmacy, burglary of an inhabited dwelling, unauthorized entry of an inhabited dwelling, felony use of weapons or dangerous instrumentalities, or any violation of the Uniform Controlled Dangerous Substances Law, or an attempt to commit any of the list of crimes included within current law; assesses a sentence of imprisonment for no less than 5 nor more than 20 years at hard labor, without the benefit of parole, probation, or suspension of sentence and a fine no less than \$1,000 nor more than \$5,000, for certain felony offenders convicted of unlawful carrying of a concealed weapon; assesses a sentence of imprisonment of no more than 7.5 years and a fine of no less than \$500 nor more than \$5,000 for those convicted of attempted possession or carrying a concealed weapon by a person convicted of certain felonies. Proposed law extends the crimes included within the prohibition of carrying of a concealed weapon by certain convicted felons to all felonies; changes sentencing for those who attempt to violate proposed law to no less than 1 year nor more than 7.5 years; increases fine for those who attempt to violate proposed law to no less than \$1,000 nor more than \$5,000.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	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	\$0	\$0	\$0	\$0	\$0	\$0

Annual Total

REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	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 (DPS&C – CS) if a person is convicted of possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies. While the proposed law does not enhance penalties for potential offenders, it expands the number of felony convictions for crimes under which the prohibition against the carrying of concealed weapons by felons applies. The exact fiscal impact of the passage of this legislation is indeterminable, because it is not known how many people will be convicted and subject to a sentence of imprisonment as a result of its potential enactment, nor the length of sentences assessed with those convictions as a result of its potential enactment.

For illustrative purposes, SGF expenditures will increase by \$107.60 per offender per day to the extent that an offender is convicted, sentenced, and then subsequently housed in a state facility or \$26.39 per offender per day for an offender housed in a local facility. Corrections Services reports that impacts on offender populations are anticipated to affect the number of offenders held in local facilities. Corrections Services reports that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities.

For informational purposes, DPS&C reports that there have been an average of 2,137 admissions in the past three years with an average sentence length of 5.6 years for those convicted of possession of a firearm or carrying concealed weapons by a person convicted of certain felonies. Assuming that additional offenders would be housed at the local level, annual expenditures would begin to exceed \$100,000 with the admission of 11 offenders convicted of possession of a firearm by any felon each year.

REVENUE EXPLANATION

Proposed law will likely result in an indeterminable increase in local revenues as a result of convictions of attempted possession of a firearm by convicted felons, as it doubles the minimum mandatory fine imposed. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because the amount of the fines imposed on those convicted may vary. The potential revenue will accrue to the local governing authority.

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}

Patrice Thomas
 Deputy Fiscal Officer