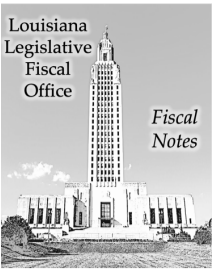


**LEGISLATIVE FISCAL OFFICE
Fiscal Note**



Fiscal Note On: **HB 240** HLS 24RS 485
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 12, 2024 9:34 AM **Author:** ROMERO
Dept./Agy.: Department of Agriculture and Forestry **Analyst:** Richie Anderson
Subject: Regulation of Weighing and Measuring Devices

WEIGHTS/MEASURES EG INCREASE SD RV See Note Page 1 of 1
 Provides relative to the Louisiana Weights and Measures Law

Proposed law creates an inspection fee for commercial weighing and measuring devices for subsequent inspections under the jurisdiction of the Department of Agriculture and Forestry (LDAF). The proposed law will add the following subsequent inspection fees: \$0 for Category 1 (0-1,000 lbs capacity); \$135 for Category 2 (over 1,000-10,000 lbs capacity); \$250 for Category 3 (over 10,000 lbs capacity); and \$250 for Mass Flow meters. Proposed law allows the commissioner to assess civil penalties for violators which can progressively grow for repeated violations as follows: up to \$500 for a first time offender; up to \$750 for a second time offender; and up to \$1,000 for a third or more time offender. Proposed law makes technical changes to definitions to clarify the difference between "annual inspection" and "subsequent inspection."

EXPENDITURES	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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0

Annual Total

EXPENDITURE EXPLANATION

Proposed law will result in an expenditure increase from dedications out of the Weights and Measures Fund for operating expenses to purchase any needed supplies to conduct the subsequent inspections. The amount expended will be tied to the revenues collected from the new fees and civil penalties in the proposed legislation.

REVENUE EXPLANATION

Proposed law will increase revenues deposited into the statutorily dedicated Weights and Measures Fund from the subsequent inspection fee assessed on Weighing and Measuring devices. In FY 23 the Department of Agriculture and Forestry conducted 312 reinspections on scales and mass flow meters. For purposes of this fiscal note the estimated revenue is based on this baseline activity from FY 23; however, the actual amount of collections will vary from year-to-year based on the need to perform reinspections.

Estimated Revenue Based on FY 23 Reinspections:


Category	Reinspections	Fee Per Device	Total
Category 1 scales (0-1,000 lbs capacity)	0	\$0	\$0
Category 2 scales (over 1,000- 10,000 lbs capacity)	123	\$135	\$16,605
Category 3 scales (over 10,000 lbs capacity)	187	\$250	\$46,750
Mass Flow Meters	2	<u>\$250</u>	<u>\$500</u>
		Total:	\$63,855

Note: There is no fee on Category 1 subsequent inspections as they do not require a significant amount of time or materials to inspect.

Additionally, LDAF expects a nominal decrease in revenue from fines due to improved compliance resulting from the increased civil penalties in the proposed law. The amount collected from each fine may increase; however, it is anticipated to be offset by an overall reduction in the amount of fines issued. Revenues from civil penalties are deposited into the Weights and Measures Fund. The overall net change from civil penalty changes is anticipated to be minimal.

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