

LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 176** HLS 25RS 89
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

| | | |
|-----------------------------------------------------------------|---------|---------------------------------|
| Date: April 7, 2025 | 5:59 PM | Author: FIRMENT |
| Dept./Agy.: Corrections and Sheriffs | | Analyst: Daniel Druilhet |
| Subject: Prohibited Chemicals - Manufacture, Possession, | | |

DRUGS OR GF EX See Note Page 1 of 1
 Provides relative to regulation of certain hallucinogenic chemicals

Proposed law creates the crime of unlawful production, manufacturing, distribution, or possession of prohibited chemicals; makes it unlawful to produce, manufacture, distribute, or possess prohibited chemicals; makes it unlawful for any person to knowingly or intentionally produce, manufacture, distribute, or possess with intent to produce, manufacture, or distribute a material, compound, mixture, preparation, or product intended for human consumption with contains beta-phenyl-GABA, muscimol, ibotenic acid, or any analog thereof; assesses a sentence of imprisonment for no less than two nor more than 10 years, with or without hard labor, or a fine of no more than \$20,000, or both, for those convicted; makes it unlawful for any person to knowingly or intentionally possess a material, compound, mixture, preparation, or product intended for human consumption which contains beta-phenyl-GABA, muscimol, ibotenic acid, or any analog thereof; assesses a sentence of imprisonment for no more than five years, with or without hard labor, or a fine of no more than \$5,000, or both, for those convicted.

| EXPENDITURES | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 2029-30 | 5 -YEAR TOTAL |
|----------------|------------------|------------------|------------------|------------------|------------------|---------------|
| 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 | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |

Annual Total

| REVENUES | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 2029-30 | 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 | 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 & Corrections - Corrections Services (DPS&C-CS), to the extent that a person sustains a conviction for unlawful production, manufacturing, distribution, or possession of prohibited chemicals. The exact fiscal impact of the passage of this legislation to state or local governing authorities is indeterminable, since it creates a crime, and is not known how many people will be convicted nor the length of the sentences assessed as a result of its potential enactment. Proposed law is a relative felony, and any impact on either state or local expenditures is contingent on whether offenders sustain either a misdemeanor or felony-grade conviction for its violation.

To the extent that offenders sustain a felony-grade conviction for violation of the proposed law, DPS&C-CS will sustain an indeterminable increase in expenditures. For those convicted, sentenced, and then subsequently housed in a state facility, DPS&C-CS will sustain expenditures of \$107.60 per offender per day. For those housed in local facilities, DPS&C-CS will sustain expenditures of \$26.39 per offender per day. DPS&C-CS advises that impacts on offender populations are anticipated to impact the number of offenders held in local facilities, and that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities.


To the extent that offenders sustain a misdemeanor conviction for violation of the proposed law, local governing authorities will sustain Local Funds expenditures. The exact fiscal impact of the passage of this legislation to local governing authorities is indeterminable, since it is not known how many people will be convicted and incarcerated in local facilities, nor the length of the sentences assessed with those convictions as a result of its potential enactment. The maximum imprisonment term is no more than 10 years.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of unlawful production, manufacturing, distribution, or possession of prohibited chemicals. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable, as the fines that would be imposed on those convicted are optional, and the amount in fines that may be imposed 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