



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 100** HLS 25RS 539
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 29, 2025	5:12 PM	Author: LYONS
Dept./Agy.: Corrections and Sheriffs		Analyst: Daniel Druilhet
Subject: Bail Bond Enforcement		

BAIL EG SEE FISC NOTE GF EX Page 1 of 1
 Provides relative to bail bond enforcement

Current law provides for definitions relative to the interception of communications; provides that no person may install or use a pen register or a trap and trace device without first obtaining a court order and exceptions; provides that whoever is convicted of intentionally violating the prohibition against use of a pen register or a trap and trace device shall be imprisoned for no more than 1 year, or fined no more than \$5,000, or both; provides for the issuance and directives for approved use of court ordered cellular tracking device; provides that a surety's motion and affidavit for issuance of a warrant may be filed when the defendant is found incarcerated in a foreign jurisdiction and a warrant has not been issued by the court or in which the bail obligation is in place. Proposed law adds cellular tracking devices to the prohibition against use without first obtaining a court order; changes prohibition from permissive to mandatory and prohibits use not related to an ongoing law enforcement investigation pursuant to a court order; changes punishment imposed from a misdemeanor to a relative felony; imposes fines of no more than \$2,500 and license suspension (on 1st conviction) and permanent license revocation (on 2nd conviction) for bail enforcement agents convicted of violating the proposed law; provides that a surety's motion and affidavit for issuance of a warrant may also be filed when a defendant is incarcerated in another parish of the state.

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

Department of Public Safety and Corrections - Corrections Services

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections - Corrections Services (DPS&C-CS), to the extent that a person installs a pen register, trap and trace device, or cellular tracking device in an unauthorized manner for any non-law enforcement investigation pursuant to an applicable court order. Proposed law has the effect of expanding the circumstances under which violations of current law can occur and enhances the penalty imposed for violation of current law from a misdemeanor to a relative felony. Any impact on either state or local expenditures is contingent on whether offenders sustain either misdemeanor or felony-grade convictions 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 one year.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of unlawful installation of a pen register, trap and trace device, or cellular tracking device in an unauthorized manner for any non-law enforcement investigation pursuant to an applicable court order. To the extent that additional court orders are sought for use of cellular tracking devices, or if bail enforcement agents fail to secure the appropriate court orders for their use under proposed law, there may be an indeterminable increase in revenue to district courts. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because the number of instances in which the requisite court orders will be sought is unknown, fines imposed on those convicted are optional (notwithstanding fines imposed on bail bond producers), and the amount of the fines, if imposed, may vary.

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