



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 568** HLS 26RS 1261
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 12, 2026	2:24 PM	Author: FIRMENT
Dept./Agy.: Corrections and Sheriffs		
Subject: Enhanced Penalties for Violations of Drug Free School Zones		Analyst: Daniel Druilhet

CONTROLLED SUBSTANCES OR SEE FISC NOTE GF EX Page 1 of 1
 Provides relative to penalty enhancements for violations of drug free school zones

Current law provides for penalties for violation of Revised Statutes 40:966 through 40:970 of the Uniform Controlled Dangerous Substances (UCDS) Law while on any property used for school purposes by any school, within 2,000 feet of any such property, or while on a school bus; provides for sentences for possession of marijuana, tetrahydrocannabinol, and its chemical derivatives. Proposed law provides that a person who violates a provision of Revised Statutes 40:966 through 40:970 of the UCDS Law while smoking, vaping, or otherwise abusing such controlled dangerous substance while on any property used for school purposes by any school, within 2,000 feet of any such property, or while on a school bus, shall, upon conviction, be assessed a sentence of no more than one year imprisonment, with or without hard labor, and may, in addition, be required to pay a fine of no more than \$1,000; assesses a sentence of imprisonment of no more than one year, with or without hard labor, and in addition, a possible fine of no more than \$1,000, for committing an act which also constitutes a violation of the UCDS Law with respect to marijuana.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2026-27	2027-28	2028-29	2029-30	2030-31	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law may 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 violating a provision of R.S. 40:966 through 40:970 of the UCDS Law while smoking, vaping, or otherwise abusing such controlled dangerous substance while on any property used for school purposes, or while on a school bus. Proposed law may also result in an indeterminable increase in SGF expenditures in DPS&C-CS, to the extent that offenders are convicted of committing acts which also constitute a violation of the UCDS Law with respect to marijuana, while on any property used for school purposes. 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. The exact fiscal impact to DPS&C-CS is indeterminable, as it is unknown how many people will be convicted or the length of the sentences assessed with those convictions. The maximum imprisonment term under current law is no more than one year, which exceeds the standalone sentence of imprisonment for possession of marijuana (no more than six months imprisonment).


SGF expenditures will increase by \$107.60 per offender per day to the extent that an offender is convicted and then housed in a state facility, or \$29.39 per offender per day for an offender housed in a local facility. An offender sentenced to the custody of the DPS&C-CS for one year would increase expenditures by \$39,274 (\$107.60 per day x 365 days) if housed in a state facility and \$10,727 (\$29.39 per day x 365 days) if housed in a local facility.

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.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of fines assessed for possessing, marijuana as a violation of UCDS law while on any property used for school purposes or violating a provision of R.S. 40:966 through 40:970 of the UCDS Law while smoking, vaping, or otherwise abusing such controlled dangerous substance while on any property used for school purposes, or while on a school bus. The exact fiscal impact on local revenues is indeterminable, as the fines imposed are optional and variable in nature. The potential revenue will accrue to the local governing authority.

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| <p><u>Senate</u></p> <p><input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}</p> <p><input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}</p> | <p><u>Dual Referral Rules</u></p> | <p><u>House</u></p> <p><input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}</p> <p><input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}</p> |
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Patrice Thomas
Deputy Fiscal Officer