

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 52** HLS 26RS 86
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

| | |
|--|---------------------------------|
| Date: April 14, 2026 5:07 PM | Author: VILLIO |
| Dept./Agy.: Clerks and District Attorneys | |
| Subject: Trial of Misdemeanors | Analyst: Daniel Druilhet |

CRIMINAL/PROCEDURE RE SEE FISC NOTE LF EX Page 1 of 1
 Provides relative to trial of misdemeanors

Current law provides that a defendant charged with a misdemeanor in which the punishment, as set forth in the statute defining the offense, may be a fine in excess of **\$1,000** or imprisonment for more than six months shall be tried by a jury of six jurors, all of whom must concur to render a verdict; provides that a defendant charged with any other misdemeanor shall be tried by the court without a jury. Proposed law provides that a defendant charged with a misdemeanor in which the punishment, as set forth in the statute defining the offense, may be a fine in excess of **\$2,500** or imprisonment for more than six months must be tried by a jury of six jurors, all of whom shall concur to render a verdict; provides that it shall be applied prospectively and retroactively to 6/08/25.

| 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 | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |
| Annual Total | | | | | | |
| 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 will likely result in an indeterminable decrease in Local Funds expenditures to parish governing authorities and other related funds that are used for conducting jury trials. Under Louisiana law (R.S. 13:3049), jurors in criminal cases who attend may demand from the parish treasury compensation of \$25 and mileage reimbursement of \$0.16 per mile for mileage necessarily traveled going to and from the courthouse to be fixed by district judges of each judicial district. The exact fiscal impact to parish governing authorities is indeterminable, because it is unknown the number of jury trials conducted (with the enactment of Act 194 of the 2025 RS) and related expenses generated during the period spanning 7/1/2025 and 3/11/2026, or the number of jury trials that may not occur with the increase in the statutory minimum required to conduct jury trials.

Proposed law may result in an indeterminable decrease in workload in local district attorneys' offices, to the extent that local courts experience a reduction in trials held for misdemeanors that fall within the parameters of the proposed law as non-jury trial misdemeanors (offenses with a fine of no more than \$1,000 and a sentence of imprisonment of no more than six months). Because the proposed law has the effect of potentially reducing the number of jury trials that would be scheduled under current law, the workload in district attorneys' offices may decrease. The exact fiscal impact to local district attorneys is unknown, because it is unknown the number of trials that would not be scheduled with the implementation of the proposed law.

For informational purposes, Act 194 of the 2025 RS increased the maximum fines that can be assessed for violations of first, second, and third offense convictions of DWI, by \$25, \$50, and \$100 (all treated as misdemeanors previously assessed with maximum fines of \$1,000), respectively (increasing the maximum fines that could be assessed to \$1,025, \$1,050, and \$1,100). Because the Code of Criminal Procedure (La. C.Cr.Pr. Art. 779) entitles a defendant charged with a misdemeanor where the possible punishment is a fine exceeding \$1,000 or imprisonment for more than six months to a jury trial, local district attorneys' offices faced additional workload for additional jury trials that were scheduled due to the increase in fines assessed. Proposed law's provision to apply prospectively and retroactively to 6/08/25 essentially reverses the impact of Act 194 of the 2025 RS relative to these specific offenses.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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