

**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **HB 133** HLS 26RS 713
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action: **w/ SEN COMM AMD**
 Proposed Amd.:
 Sub. Bill For.:

Date: May 7, 2026	12:43 PM	Author: NEWELL
Dept./Agy.: Corrections, Sheriffs, and Office of Juvenile Justice		Analyst: Daniel Druilhet
Subject: Battery of a School Teacher		

CRIME/BATTERY EG1 SEE FISC NOTE GF EX Page 1 of 2
 Provides relative to battery of a school teacher

Current law provides for the crime of battery of a school teacher and related penalties; provides for dispositions after adjudication of certain felony-grade delinquent acts. Proposed law adds that battery of a school teacher can also occur when the battery was committed because of the status of the victim as a school teacher; clarifies that if a student offender commits the crime of battery of a school teacher that does not cause bodily injury, he will be sentenced to no less than 30 days nor more than six months imprisonment (down from one year) or fined no more than \$1,000 (down from \$5,000); provides that a student offender who commits battery that causes serious bodily injury shall be imprisoned with or without hard labor, for no less than 30 days nor more than a year (with at least 72 hours without the benefit of suspension of sentence), or fined no more than \$5,000; adds that at least six months of a sentence for battery of a school teacher (no more than one nor more than five years imprisonment, with or without hard labor), regardless if the battery causes serious bodily injury, shall be served without benefit of parole, probation, or suspension of sentence; adds battery of a school teacher to felony-grade delinquent acts for which the court shall commit a child to confinement in secure placement for no less than six months without benefit of probation or suspension of imposition of sentence; requires the court to require child participation in a court-approved counseling program (with costs borne by the parent, tutor, guardian, or financially responsible person) in addition to any other penalties imposed.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	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	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						

EXPENDITURE EXPLANATION

Proposed law may result in an increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPS&C – CS) and the Department of Public Safety and Corrections - Youth Services (Office of Juvenile Justice), or a decrease in Local Funds expenditures, if a person is convicted of battery of a school teacher. Proposed law has the effect of delineating sentences for battery of a school teacher contingent upon whether the battery causes serious bodily injury.

Battery of a school teacher by a student that causes serious bodily injury

Proposed law may result in an increase in expenditures for those instances in which a battery is committed by a student and causes serious bodily injury. The 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 is indeterminable, as it is unknown how many people will be convicted or the length of the sentences assessed with those convictions. The maximum sentence of imprisonment is no more than five years.

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 \$29.39 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.

Battery of a school teacher by a student that does not cause serious bodily injury


Proposed law may result in an indeterminable decrease in Local Funds expenditures, for those instances in which a battery is committed by a student, and the battery does not cause serious bodily injury. Proposed law retains its posture as a misdemeanor and reduces the applicable sentences of imprisonment from no more than one year to no more than six months. The exact fiscal impact to Local Expenditures is unknown, as it is unknown the number of persons who will be convicted of the proposed law in the future, with lower stays of incarceration than those currently serving prison sentences for the current law sentence of no more than one year.

[CONTINUED ON PAGE ONE]

REVENUE EXPLANATION

Proposed law may result in an indeterminable decrease in local revenues as a result of convictions of battery of a school teacher by a student that does not cause bodily injury, or by a non-student (regardless of whether it causes bodily injury). The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because the fines that would be imposed on those convicted (not more than \$1,000) are optional, and the amount of the fines, if imposed, may vary. 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>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



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CONTINUED EXPLANATION from page one:

[CONTINUED FROM PAGE ONE - EXPENDITURES]

Office of Juvenile Justice

Proposed law may result in an indeterminable increase in expenditures in the Department of Public Safety and Corrections - Youth Services (Office of Juvenile Justice), to the extent that persons 14 years of age or older are adjudicated of a felony-grade delinquent act of battery of a school teacher (pursuant to the Louisiana Children's Code). The exact fiscal impact to expenditures to the Office of Juvenile Justice is indeterminable, because it is unknown the number of juvenile referrals that will be made for adjudications of violations of the proposed law. For each adjudication that results in placement in secure placement, the Office of Juvenile Justice will sustain expenditures of \$151.81 per day.

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}


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