

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 564** HLS 26RS 897
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 18, 2026	5:19 PM	Author: MARCELLE
Dept./Agy.: Corrections, Sheriffs, Public Defenders, and District		Analyst: Daniel Druilhet
Subject: Parties to a Crime		

CRIME OR SEE FISC NOTE GF EX Page 1 of 2
 Provides relative to parties to a crime

Current law provides for parties to crimes, including principals and accessories after the fact. Proposed law adds "accessory before the fact" to the list of possible parties to a crime and amends the definition of principal; defines "accessory before the fact" as any person concerned in the commission of a crime, whether present or absent, who aids and abets the principal in its commission, or directly or indirectly counsels or procures the principal to commit the crime; provides for penalties for "accessory before the fact" as follows - (1) if the offense is punishable by life imprisonment, no less than five nor more than 15 years imprisonment, (2) for a non-felony offense of theft or receiving stolen things, a fine of no more than \$100 or no more than six months imprisonment, or both, (3) for a felony offense of receiving stolen things, a fine of no more than \$200 or no more than one year imprisonment, or both, (4) for theft not less than \$500 nor more than \$5,000, a fine of no more than \$500 or no more than one year imprisonment, or both, (5) for theft over \$5,000, a fine of no more than \$2,500 or imprisonment with or without hard labor for no more than five years, or both, and (6) in all other cases, imprisonment and a fine, or both, in the same manner as the principal of the offense, except that such fine and term of imprisonment for the accessory before the fact shall not exceed 1/2 of the maximum fine or term of imprisonment prescribed for the offense; provides that an accessory after the fact may not be tried and punished until the principal felon has been convicted; authorizes a defendant incarcerated for a conviction as a principal, but who was actually an accessory before the fact, to file a motion to reconsider sentence if he served at least 1/3 of the sentence as a principal (with procedure).

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 indeterminable increase in SGF expenditures in the Department of Public Safety & Corrections-Corrections Services (DPS&C-CS), to the extent that a person is convicted of being an accessory before the fact to offenses punishable by life imprisonment, felony offense receiving stolen things, or theft over \$5,000. Proposed law creates the crime of being an accessory before the fact, and the associated penalties are contingent upon whether the offender commits a felony or misdemeanor-level offense. Accessory before the fact to offenses punishable by life imprisonment and accessory before the fact to felony offense receiving of stolen things are felony-level offenses, while accessory before the fact to theft over \$5,000 is a relative felony. For accessory before the fact to theft over \$5,000, any impact on either state or local expenditures is contingent on whether offenders sustain either a misdemeanor or felony-grade convictions for their 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 as a result of its potential enactment. The maximum imprisonment term for accessory before the fact to offenses punishable by life imprisonment or felony offense receiving of stolen things is no more than 15 years imprisonment and no more than one year imprisonment, respectively. The maximum prison term for accessory before the fact to theft over \$5,000 is no more than five years imprisonment.

To the extent that offenders sustain a felony-grade convictions 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.


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.

[CONTINUED ON PAGE TWO]

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in Local revenues, to the extent that a person is convicted of accessory before the fact to the enumerated list of offenses within the proposed law. The exact fiscal impact to Local revenues is indeterminable, because the fines that may be imposed on those convicted are optional, and the amount of fines imposed is variable. Potential revenues will accrue to local governing authorities.

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


Patrice Thomas
Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

[CONTINUED FROM PAGE ONE]

Proposed law may result in an indeterminable increase in Local Funds expenditures to local governing authorities, to the extent that a person is convicted of accessory before the fact to a non-felony offense of theft or receiving stolen things or theft not less than \$500 nor more than \$5,000. 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 exact fiscal impact 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 sentences assessed with those convictions as a result of its potential enactment. The maximum imprisonment term at the local level for accessory before the fact to a non-felony offense of theft or receiving stolen things is no more than six months imprisonment, while the maximum imprisonment term for accessory before the fact to theft not less than \$500 nor more than \$5,000 is no more than six months.

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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