

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 429** HLS 26RS 935
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: June 1, 2026 3:44 PM	Author: LANDRY, JACOB
Dept./Agy.: Corrections and Sheriffs	Analyst: Daniel Druilhet
Subject: Theft or Unauthorized Entry of a Critical Infrastructure	

CRIME/THEFT EN SEE FISC NOTE GF EX Page 1 of 2
 Adds theft or unauthorized entry of a critical infrastructure as a predicate crime for terrorism

Current law provides for imprisonment and fines for offenders convicted of theft of critical infrastructure - (1) when the misappropriation, taking, or illegal possession amounts to a value less than \$25,000, a fine of no more than \$10,000, or imprisonment for no more than 15 years, with or without hard labor, or both; (2) when the misappropriation, taking, or illegal possession amounts to a value of \$25,000 or more, a fine of no more than \$50,000, or no more than 20 years imprisonment at hard labor, or both; (3) where it is foreseeable that human life will be threatened as a result of the theft, no more than a \$50,000 fine, or no more than 20 years imprisonment, or both; provides for the crime of terrorism and assesses a sentence of no less than one year nor more than 30 years imprisonment, for those convicted. Proposed law adds circumstances under which an offender can be convicted of current law; revises penalties for current law where each carries a fine of no more than \$50,000 or no more than 20 years imprisonment at hard labor, or both; adds oil, natural gas, drilling operations and equipment, and public drinking water systems to the definition of critical infrastructure; adds unauthorized entry and theft of critical infrastructure as crimes which, with the requisite intent, qualify as terrorism; provides for a sentence of no less than five nor more than 20 years imprisonment at hard labor for terrorism by theft or unauthorized entry of critical infrastructure.

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 and Corrections-Corrections Services, to the extent that an offender is convicted of (1) unauthorized entry of a critical infrastructure (specifically oil and natural gas facilities and operations), (2) intentionally operating an unmanned aircraft system without prior express authority, within or over critical infrastructure, or (3) maliciously using any electronic, digital, or technological means, without authority, to access, control, disrupt, disable, manipulate, or materially interfere with any operational technology system used to operate a critical infrastructure, or is convicted of terrorism by theft or unauthorized entry of critical infrastructure. Proposed law may also result in an indeterminable increase in SGF expenditures in DPS&C-CS, to the extent that any prior offenses with sentences of imprisonment for theft of critical infrastructure that are no more than 15 years, with or without hard labor, are eliminated. Proposed law has the effect of adding circumstances under which a person can be convicted of theft of critical infrastructure, adding as a predicate crime to terrorism theft of critical infrastructure, and removing all maximum sentences for theft of critical infrastructure less than 20 years. The exact fiscal impact to DPS&C-CS is indeterminable, because it is unknown the number of persons that will be convicted of theft of critical infrastructure involving natural gas facilities and operations or terrorism by theft or unauthorized entry of critical infrastructure, or the number of years that offenders will be sentenced with the enactment of the proposed law. The maximum sentence of imprisonment is no more than 20 years at hard labor.

Proposed law (unauthorized entry of critical infrastructure involving oil and natural gas facilities, intentionally operating an unmanned aircraft system over critical infrastructure, or maliciously using technological means to control an operational technology system used to operate a critical infrastructure) is a relative felony, and any impact on either state or local expenditures is contingent on whether offenders sustain either misdemeanor or felony-grade convictions for their 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 as a result of its potential enactment. The maximum imprisonment term for unauthorized entry of critical infrastructure involving oil and natural gas facilities is not more than 15 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. [CONTINUED ON PAGE TWO]

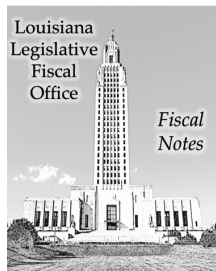
REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of unauthorized entry for critical infrastructure involving oil and natural gas facilities. 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 are optional, and the amount of the fines, if imposed, may vary. The potential revenue will accrue to the local governing authority.

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



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CONTINUED EXPLANATION from page one:

[CONTINUED FROM PAGE ONE]

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.

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 proposed law's provision adding theft or unauthorized entry of critical infrastructure as predicate crimes to terrorism has the effect of creating additional felony crimes with sentences of imprisonment of no less than twenty years at hard labor. The exact fiscal impact to the Department of Public Safety and Corrections-Corrections Services (DPS&C-CS) is indeterminable, because it is unknown the number of offenders who will be convicted, or the number of years that those offenders will be sentenced.

With sentences of imprisonment for theft of critical infrastructure (no more than 15 years, with or without hard labor) being eliminated, all sentences of theft of critical infrastructure will be changed to no more than 20 years, potentially leading to an increase in SGF expenditures. The exact fiscal impact to DPS&C-CS is indeterminable, because it is unknown the number of instances in which offenders will be convicted under the proposed law or the associated sentences that will be assessed, with its enactment.

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.

Senate Dual Referral Rules

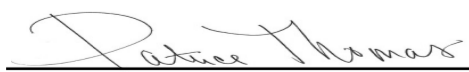
13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

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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