

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 753** HLS 14RS 1157

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> May 14, 2014	5:30 PM	<b>Author:</b> MORENO
<b>Dept./Agy.:</b> Corrections		<b>Analyst:</b> Stephanie C. Blanchard
<b>Subject:</b> Firearms/domestic abuse		

FAMILY VIOLENCE EN NO IMPACT See Note Page 1 of 1

Provides relative to the possession, forfeiture, and seizure of firearms as it relates to persons convicted of domestic abuse battery or subject to a protective order

Present law provides for protection from family violence and provides for services for victims of abuse and the duties of law enforcement officers regarding abuse situations. Proposed law provides that any person against whom the court has been issued a permanent injunction or a protective order relative to domestic abuse shall be prohibited from possessing a firearm for the duration of the injunction or protective order. Creates the crime of possession of a firearm or carrying of a concealed weapon by a person convicted of domestic abuse battery. Provides penalties with or without hard labor for not less than one year nor more than five years and a fine of not less than \$500 nor more than \$1,000. Provides that if 10 years has passed since the completion of the sentence for domestic abuse battery or from probation, parole, or suspension of sentence, it shall not be a violation of proposed law. Directs the Judicial Administrator's Office of the Louisiana Supreme Court to amend the Uniform Abuse Prevention Order to notify and warn the person against whom the order is issued of the state and federal prohibitions relative to firearms and ammunition.

<b>EXPENDITURES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW					
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

The proposed legislation may result in an indeterminable increase in state general fund expenditures since it creates the crime of possession of a firearm or carrying of a concealed weapon by a person convicted of domestic abuse battery. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many individuals will be convicted of this crime. However, any offender sentenced to the custody of the Department of Public Safety and Corrections increases expenditures by \$24.39 per day per offender in local facilities. Therefore, the cost to the state would be \$8,902 annually (\$24.39 per day, per offender x 365 days) for any offender convicted as a result of the proposed legislation.

To the extent that offenders are housed in state facilities, the cost per day, per offender is \$52.51.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure. Any revenue generated through the imposition of fines created by this legislation would accrue to local government entities.

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|---|----------------------------|--------------|--|
| <u>Senate</u>   | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       |                            |              | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {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} |

*Evan Brasseaux*  
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**Staff Director**