

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 488** HLS 15RS 156

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 28, 2015	3:00 PM	Author: MORENO
Dept./Agy.: Corrections		Analyst: Monique Appeaning
Subject: Domestic Abuse		

DOMESTIC ABUSE

OR INCREASE GF EX See Note

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Provides relative to domestic abuse

This legislation: 1)amends penalties for a first conviction of crime of stalking; 2)amends present law regarding penalties for violations of protective orders; 3)increases the maximum term of imprisonment from six months to one year for a third or subsequent conviction for the crime of violation of protective orders; 4)provides that the sentence imposed for a first offense violation of a protective order...shall be served with or without hard labor; 5)increases the maximum term of imprisonment from six months to one year and increases the minimum mandatory sentence from 14 days to 30 days for a second conviction

EXPENDITURES	2015-16	2016-17	2017-18	2018-19	2019-20	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

REVENUES	2015-16	2016-17	2017-18	2018-19	2019-20	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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

EXPENDITURE EXPLANATION

The proposed legislation may result in an indeterminable increase in state general fund expenditures as a result of sentencing guideline changes for domestic abuse battery, domestic abuse aggravated assault, stalking and violation of protective orders.

SGF expenditures will increase by \$51.62 per offender per day if offenders are housed in state facilities and increase by \$24.39 for state offenders housed in local facilities. Offenders sentenced to the custody of the Department of Public Safety and Corrections for one year would increase SGF expenditures by \$18,841 (\$51.62 per day x 365 days) if housed in a state facility and \$8,902 (\$24.39 per day x 365 days) if housed in local facilities.

The expenditures for housing local offenders in local facilities may result in an indeterminable increase as a result of sentencing guideline changes for certain misdemeanor offenses.

This legislation also requires the Louisiana Bureau of Criminal Identification and Information to obtain and file certain data of offenders. There is no increase in expenditures for the entity to implement this section.

REVENUE EXPLANATION

The proposed legislation may result in an increase in revenue as a result of expanding the type of offenders subject to penalties. This revenue change will impact the local governing authority.

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

Evan Brasseaux
Staff Director