

**LEGISLATIVE FISCAL OFFICE**

**Fiscal Note**



Fiscal Note On: **HB 107** HLS 18RS 652  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> March 15, 2018 3:28 PM	<b>Author:</b> BACALA
<b>Dept./Agy.:</b> Law Enforcement Officers & Firemen Survivor's Benefit	<b>Analyst:</b> Ryan Guidry
<b>Subject:</b> Survivor Benefits for Federal Law Enforcement in Louisiana	

LAW ENFORCE/OFFICERS OR INCREASE GF EX See Note Page 1 of 1  
 Provides with respect to financial security for survivors of federal law enforcement officers

Present law extends a payment of \$250,000 to surviving spouses, children, and other beneficiaries of law enforcement officers who perish as the result of an injury or injuries sustained in the line of official duty. Present law specifies the officers to which present law is applicable. Proposed law adds federal law enforcement officers whose duties include making arrests, execution of criminal arrest warrants, execution of civil seizures, and performing searches and seizures to the list of law enforcement officers eligible for survivor benefits. Proposed law states that federal law enforcement officers may receive benefits under the provision of the proposed law if the officer was participating in the enforcement of Louisiana laws. Proposed law is retroactive to March 1, 2015, and also has prospective effect.

<b>EXPENDITURES</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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>	<u><b>\$0</b></u>
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u><b>\$0</b></u>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

Proposed law will increase SGF expenditures (via the statutorily dedicated Self-Insurance Fund) by up to \$500,000 and an additional \$25,000 for each dependent child in FY 19 as a result of proposed law's retroactive effect potentially extending benefits to two deceased federal law enforcement officers. The number of dependent children is presently unknown and to the extent there are dependent children, expenditures would increase an additional \$25,000 per child. Furthermore, based upon proposed law's prospective effect, SGF expenditures may increase by \$250,000, as well as an additional \$25,000 for each dependent child, for each deceased federal law enforcement officer to the extent federal law enforcement officers sustain injuries in Louisiana that result in death in FY 19 and subsequent fiscal years.

The proposed legislation adds federal law enforcement officers who are enforcing Louisiana laws and whose duties include making arrests, execution of criminal arrest warrants, execution of civil seizures, and performing searches and seizures to the list of law enforcement officers whose spouses (or designated beneficiary if not survived by a spouse) are eligible for survivor benefits of \$250,000 plus an additional \$25,000 for each dependent child pursuant to LA R.S. 40:1665.2(C)(1). Furthermore, proposed law has retroactive effect to March 1, 2015.

The Office of Risk Management (ORM) reports that two federal law enforcement officers have perished in Louisiana as a result of injuries sustained while on duty during Calendar Year (CY) 15 and CY 16. These officers may be eligible for benefits under the proposed law's retroactive effect. ORM reports that these two deaths as the only ones of federal law enforcement officers that have occurred within a 5-year period. ORM anticipates associated survivor benefits being paid out in the amount of \$275,000 (\$250,000 survivor benefit + \$25,000 dependent child survivor benefit). The \$275,000 estimate is based upon previous payments of survivor benefits for state and local law enforcement officers. To the extent both officers qualify for the survivor benefits, SGF expenditures will likely increase in FY 19 by a minimum of \$500,000 (\$250,000 \* 2), and an additional \$25,000 dependent upon the number of surviving dependent children each officer may have.

Furthermore, the prospective effect of proposed law would increase SGF expenditures by \$250,000 and an additional \$25,000 for each dependent child to the extent federal law enforcement officers die as a result of injuries sustained while on duty in Louisiana. ORM similarly anticipates associated survivor benefits being paid out in the amount of \$275,000. However, because the number of federal law enforcement officers that may perish in the line of duty annually, as well as their number of dependent children, is unknown, the expenditure increase associated with survivor benefits derived from the proposed legislation is indeterminable.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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}

*Evan Brasseaux*  
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**Staff Director**