

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 327** HLS 19RS 40

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 14, 2019	7:14 AM	Author: JAMES
Dept./Agy.: Public Safety/State Police		Analyst: Willis Brewer
Subject: Prohibits the disclosure of certain information by law officers		

CRIMINAL/RECORDS OR SEE FISC NOTE SG EX Page 1 of 1
Prohibits the disclosure of certain information by law enforcement officers or employees of a law enforcement agency

Proposed law retains present law and provides that no law enforcement officer or employee of a law enforcement agency shall disclose or disseminate outside of law enforcement any information relating to any of the following:

(1) An arrest that did not result in a conviction and the time limitations on the institution of prosecution have barred prosecution for that offense.

(2) A misdemeanor arrest and conviction if five years have elapsed since the most recent felony or misdemeanor arrest or conviction on a person's state criminal history record.

(3) A felony arrest and conviction if 10 years have elapsed since the most recent felony or misdemeanor arrest or conviction, including periods of incarceration or supervision, on a person's state criminal history record.

Proposed law further provides that any person who violates proposed law shall be subject to removal or a fine of not less than \$2,000 and not more than \$5,000 for each offense, or both.

EXPENDITURES	2019-20	2020-21	2021-22	2022-23	2023-24	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	SEE BELOW					
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						

REVENUES	2019-20	2020-21	2021-22	2022-23	2023-24	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					
Annual Total						

EXPENDITURE EXPLANATION

Proposed law will result in approximately \$10,000 in one-time SGR expenditures for the Department of Public Safety (DPS), Office of State Police (OSP) for programming changes to OSP's Louisiana Computerized Criminal History (CCH) system. The projected programming costs are based upon an estimate of 100 hours at \$100 per hour to make the necessary software changes that includes creating a new civil rap sheet that follows the provisions and restrictions of proposed law. The Legislative Fiscal Office believes that any additional IT work associated with this legislation will be incremental in nature, and that the Department can potentially accomplish these tasks utilizing existing resources and budget authority. To the extent that numerous pieces of legislation are enacted that require additional programming efforts and system modifications, the Department will likely require additional resources.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local funds revenue as a result of potential fines if a law enforcement officer or employee of a law enforcement agency discloses or disseminates outside of law enforcement any information relating to any of the provisions of proposed law. The minimum fine assessed is \$2,000 and the maximum is \$5,000. The potential revenue will accrue to the local governing authority. Proposed law's potential net effect on sentencing decisions cannot be determined and the potential revenue impact is therefore unknown.

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
Evan Brasseaux
Staff Director