

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 9** HLS 19RS 73

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 26, 2019	1:19 PM	Author: MARINO
Dept./Agy.: Statewide		Analyst: Monique Appeaning
Subject: Cost of Expungement		

CRIMINAL/PROCEDURE EG NO IMPACT See Note Page 1 of 1
Provides relative to costs of expungement of a record

Proposed law adds to present law "if an applicant for an expungement of a record includes two or more offenses arising out of the same arrest, including misdemeanors, felonies, or both, the applicant shall be required to pay only one fee as provided for by this Article." Proposed law retains the cost of expungement under present law the total cost to obtain a court order expunging a record shall not exceed five hundred fifty dollars per the Code of Criminal Procedure Article 983.

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.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure. Proposed law creates no expenditure impact because it does not change the number of expungements.

The Louisiana District Attorneys Association reports that the DAs are already processing expungements under present law and no new duties would be added.

REVENUE EXPLANATION

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

NOTE: Public Safety Services charges a \$250 fee for expungement of a record. If there are multiple charges related to the same arrest, only one \$250 fee is currently being charged.

The Louisiana Clerks of Court Association reports that there should be no additional income or loss of income because the current law only provides for the expungement of an arrest regardless of the number of charges that arise from that particular arrest.

The Louisiana District Attorneys Association reports that the DAs receive \$50 of the expungement fee.

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