

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 47** HLS 19RS 375

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 14, 2019 6:25 PM	Author: JENKINS
Dept./Agy.: Public Safety - Child Welfare	Analyst: Monique Appeaning
Subject: Increased Penalties For Improper Supervision of a Minor	

CRIMINAL/PENALTIES RE SEE FISC NOTE LF EX See Note Page 1 of 1
Provides relative to the crime of improper supervision of a minor by a parent or legal custodian

Present law provides for the crime of improper supervision of a minor by a parent or legal custodian and present law penalties include a fine of not less than \$25 and not more than \$250 for each offense, imprisonment for not more than 30 days, or both. Present law provides that whoever violates the crime of improper supervision of a minor by allowing the minor to be habitually absent or tardy from school without a valid excuse is subject to being fined not less than \$25 nor more than \$250 for each offense, imprisonment for not more than 30 days, or both. Present law requires a minimum condition of probation to be imposed, including school or community service activities.

Proposed law changes the penalties to a fine of not more than \$500, imprisonment for not more than six months, or both and repeals the specific penalty for violation of improper supervision of a minor by allowing the minor to be habitually absent or tardy from school.

Proposed law provides that a peace officer **may** issue a summons, in lieu of making an arrest, to any person who commits the offense of improper supervision of a minor in specific instances.

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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

Proposed law may result in an increase in Local Funds expenditures to the extent average sentences upon conviction for improper supervision of a minor by a parent or legal custodian increase as a result of changing the maximum imprisonment term from thirty (30) days to six (6) months. The total expenditure impact is indeterminable, but could be significant in large metropolitan areas and/or in the aggregate statewide. A conviction of the crime of improper supervision of a minor by a parent or legal custodian is a misdemeanor and would impact expenditures for local governing authorities based on present law.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in Local Funds revenue as a result of potential fines if a person is convicted of improper supervision of a minor by a parent or legal custodian. Present law provides that penalties include a fine of not less than \$25 and not more than \$250 for each offense. Present law provides that whoever violates the crime of improper supervision of a minor by allowing the minor to be habitually absent or tardy from school without a valid excuse is subject to being fined not less than \$25 nor more than \$250 for each offense. Proposed law changes the penalties to a fine of not more than \$500. The potential net effect on sentencing decisions cannot be determined and the potential revenue impact is therefore unknown. The potential revenue will accrue to the local governing authority.

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