

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 402** HLS 20RS 893

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 27, 2020	8:14 AM	Author: EDMONDS
Dept./Agy.: Statewide		Analyst: Monique Appeaning
Subject: Adoption Deception		

CRIME
Creates the crime of adoption deception

OR INCREASE GF EX See Note

Page 1 of 1

Proposed law creates the crime of adoption deception, provides for specific elements, criminal penalties and restitution.

EXPENDITURES	2020-21	2021-22	2022-23	2023-24	2024-25	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW					
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						

REVENUES	2020-21	2021-22	2022-23	2023-24	2024-25	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 may result in an indeterminable increase in local fund expenditures to local governing authorities if a person is convicted of the crime of adoption deception when the amount received is no less than three hundred dollars. The maximum imprisonment term is sixty days without hard labor.

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections - Corrections Services (DPSC - CS) if a person is convicted of the crime adoption deception when the amount received by the person exceeds three hundred dollars. The maximum imprisonment term is five years with or without hard labor. The number of individuals that may be convicted of this crime is indeterminable.

SGF expenditures will increase by \$67.44 per offender per day if an offender is housed in a state facility or \$26.39 for a state offender housed in a local facility. An offender sentenced to the custody of the DPSC - CS for one year would increase SGF expenditures by \$24,615.60 (\$67.44 per day x 365 days) if housed in a state facility and \$9,632.35 (\$26.39 per day x 365 days) if housed in a local facility. Approximately 50% of state offenders are housed in state facilities and approximately 50% are housed in local facilities.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in Local Funds revenues as a result of potential fines for the crime of adoption deception when the amount received is no less than three hundred dollars. The maximum fine for this crime is \$500.

Proposed law may result in an indeterminable increase in Local Funds revenues as a result of potential fines for the crime of adoption deception when the amount received is exceeds three hundred dollars. The maximum fine for this crime is \$5,000.

Proposed law provides for a person convicted of the crime of adoption deception to pay restitution for any reasonable attorney fees and costs incurred by the adoption entity or the prospective adoptive parent.

The number of individuals that may be convicted of this crime is indeterminable.

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