

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 67** HLS 20RS 227
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 18, 2020 6:39 AM	Author: FONTENOT
Dept./Agy.: Statewide	Analyst: Monique Appeaning
Subject: Crime - Battery of Police Officer	

CRIME/BATTERY EG SEE FISC NOTE GF EX Page 1 of 1
 Provides relative to the crime of battery of a police officer

Proposed law provides that whoever commits a second or subsequent offense of battery of a police officer shall be fined not more than one thousand dollars and imprisoned with or without hard labor for not less than one year nor more than three years. At least fifteen days of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

Proposed law provide that if the battery produces an injury that requires medical attention, and the offense is a second or subsequent violation, the offender shall be fined not more than two thousand dollars and shall be imprisoned with or without hard labor for not less than two years nor more than five years. At least sixty days of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

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

EXPENDITURE EXPLANATION

Proposed law will result in an indeterminable increase in SGF expenditures for the Department of Public Safety and Corrections - Corrections Services (DPSC - CS) if a person is convicted of second or subsequent crime of battery of a police officer. The minimum imprisonment term is one year and a maximum term of three years with or without hard labor. Proposed law requires a minimum of fifteen days of imposed sentence shall be served without benefit of parole, probation or suspension of sentence. Proposed law imposes a minimum of two years and maximum imprisonment term of five years with or without hard labor if the battery produces an injury that requires medical attention and the offense is a second or subsequent, and that at least sixty days of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence. The number of individuals that may be convicted under the provisions of proposed law 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.

Proposed law may result in an indeterminable decrease in Local Funds expenditures for local governing authorities associated with shifting incarceration activities out of local facilities into state facilities for certain individuals convicted of batter of a police officer for a second or subsequent offense.

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 a second or subsequent crime of battery of a police officer. The maximum fine imposed is one thousand dollars. The maximum fine is two thousand if the battery produces an injury that requires medical attention and the offense is a second or subsequent. The potential revenue will accrue to the local governing authority. The potential net effect on sentencing decisions cannot be determined and the potential revenue impact is therefore unknown.

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H} | | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H} | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

Evan Brasseaux
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