



**LEGISLATIVE FISCAL OFFICE  
Fiscal Note**

Fiscal Note On: **HB 101** HLS 22RS 109  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> March 15, 2022 7:17 AM	<b>Author:</b> MCCORMICK
<b>Dept./Agy.:</b> Corrections/D.A.s/LPDB	
<b>Subject:</b> Provides new element for justifiable homicide	<b>Analyst:</b> Rebecca Robinson

CRIME/HOMICIDE OR SEE FISC NOTE Page 1 of 1  
 Provides relative to justifiable homicide

Proposed legislation amends the statute concerning justifiable homicide and presents an additional circumstance when the affirmative defense may be used. Provides a homicide is justifiable when committed for the purpose of preventing imminent destruction of property or imminent threat of tumultuous and violent conduct during a riot.

<b>EXPENDITURES</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>5 -YEAR TOTAL</b>
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Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

There may be an indeterminable decrease in SGF expenditures to the Department of Public Safety & Corrections - Corrections Services (DPS&C) to the extent a person charged with homicide asserts the new affirmative defense and is found not guilty. A reduction in convictions would save DPS&C \$26.39 per day per offender and \$9,632 annually (\$26.39 per day per offender x 365 days) for those in adult local housing; and \$83.23 per day per offender and \$30,379 annually (\$83.23 per day per offender x 365 days) for those in a state facility.

There may be an indeterminable decrease of expenditures by District Attorney's (D.A.) offices to the extent the D.A. declines to prosecute based on the new affirmative defense. The District Attorney's Association is unable to predict the number of times this justification for homicide would be used.

**REVENUE EXPLANATION**

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

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*  
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**Evan Brasseaux**  
 Interim Deputy Fiscal Officer