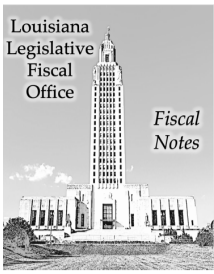


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 260** HLS 25RS 876

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 8, 2025	7:12 PM	Author: VILLIO
Dept./Agy.: Corrections and Sheriffs		Analyst: Daniel Druilhet
Subject: Second Degree Murder		

CRIME/HOMICIDE

OR SEE FISC NOTE GF EX

Page 1 of 1

Provides relative to second degree murder

Current law provides for the crime of second degree murder; provides for a list of offenses that may constitute second degree murder even when the offender has no intent to kill or to inflict great bodily harm. Proposed law adds resisting a police officer with force or violence to the list of offenses that may constitute second degree murder when the resistance with force or violence results in the killing of a human being; adds, as an additional circumstance of second degree murder, the killing of a human being when committed by a person who is in, or who has escaped from, the lawful custody of a law enforcement officer or a place of lawful confinement, even though he has no intent to kill or inflict great bodily harm; effective upon signature by governor or lapse of time for gubernatorial action.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						
REVENUES	2025-26	2026-27	2027-28	2028-29	2029-30	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

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPS&C – CS) if a person is convicted of second degree murder while engaged in resisting a police officer with force or violence or killing a human being after escaping from the lawful custody of a law enforcement officer or a place of lawful confinement. Proposed law has the effect of expanding the circumstances under which violations of current law can occur. The exact fiscal impact of the passage of this legislation to state and local governing authorities is indeterminable, since it is not known how many people will be convicted, nor the length of the sentences assessed as a result of its potential enactment. The sentence imposed for second degree murder is life imprisonment at hard labor without the benefit of parole, probation, or suspension of sentence.

For those convicted, sentenced, and then subsequently housed in a state facility, DPS&C-CS will sustain expenditures of \$107.60 per offender per day. For those convicted, sentenced, and then subsequently housed in a local facility, DPS&C-CS will sustain expenditures of \$26.39 per offender per day. DPS&C-CS advises that impacts on offender populations are anticipated to impact the number of offenders held in local facilities, and in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities.

REVENUE EXPLANATION

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

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Patrice Thomas
Deputy Fiscal Officer