

**LEGISLATIVE FISCAL OFFICE**

**Fiscal Note**

**ACT 199**

Fiscal Note On: **HB 155** HLS 09RS 1043

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:



<b>Date:</b> July 8, 2009	10:21 AM	<b>Author:</b> HARDY
<b>Dept./Agy.:</b> Corrections		<b>Analyst:</b> Kristy F. Gary
<b>Subject:</b> Crime		

CRIME EN INCREASE GF EX See Note Page 1 of 1  
 Amends the definition of negligent injuring and negligent homicide to include attacks by dogs or other animals

The proposed legislation amends negligent injuring and negligent homicide to include injury or death caused by dogs or other animals, when the owner is reckless and criminally negligent in confining or restraining the dog or other animal. Proposed law provides that for the crime of negligent homicide if the victim was killed by a dog or other animal, the owner of the dog or other animal shall be imprisoned with or without hard labor for not more than five years or fined not more than five thousand dollars, or both.

Proposed law provides exceptions for law enforcement dogs, dogs involved in search and rescue, guide and service dogs, dogs inside a dwelling, place of business, or motor vehicle who attack a person who is attempting or who has made an unlawful entry, and attacks made by livestock. Proposed law prohibits the denial of liability insurance coverage when the activity is due to the criminally negligent ownership or handling of a dog pursuant to proposed law.

<b>EXPENDITURES</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<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>

<b>REVENUES</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
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					
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

Proposed legislation could result in an increase in state general fund expenditures. The exact fiscal impact of the passage of this legislation is indeterminable, as it is not possible to know how many people will be convicted of this crime by amending the elements to the crime. However, expenditures could increase by \$24.39 per day per offender sentenced to the custody of the Department of Public Safety and Corrections (assuming state inmates are housed at the local level).

According to the Department of Public Safety and Corrections, there are currently 43 inmates incarcerated for negligent homicide with an average sentence of 7.4 years and 1 inmate incarcerated for negligent injuring with a sentence of 1 year.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure. However, any revenue generated through the imposition of fines created by this legislation would accrue to local governmental entities.

Senate

Dual Referral Rules

House

- 13.5.1 >= \$500,000 Annual Fiscal Cost
- 13.5.2 >= \$500,000 Annual Tax or Fee Change

- 6.8(F) >= \$500,000 Annual Fiscal Cost
- 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

**Robert E. Hosse**  
**LFO Staff Director**