LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 272** HLS 11RS 128
Bill Text Version: **REENGROSSED**
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: May 26, 2011 8:35 AM
Author: BISHOP
Dept./Agy.: Corrections
Subject: Summons in lieu of arrest
Analyst: Matthew LaBruyere

CRIMINAL/ARRESTS RE DECREASE LF EX See Note

Provides for the issuance of a written summons in lieu of arrest for certain crimes

Present law provides that a peace officer may issue a summons instead of making an arrest for a felony theft charge or illegal possession of stolen things when the value of the thing is $300 or more but less than $500. Proposed legislation amends present law and provides that a peace officer may issue a summons instead of making an arrest for a felony theft charge or illegal possession of stolen things when the value of the thing is $500 or more but less than $1,000. Proposed legislation provides technical changes to present law by repealing issuance of a summons instead of arrest for litterers, driving without possession of a driver's license, persons with outstanding warrants, and contempt and adding these articles to Code of Criminal Procedure Article 211.

EXPENDITURES	**2011-12**	**2012-13**	**2013-14**	**2014-15**	**2015-16**	**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	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**

REVENUES	**2011-12**	**2012-13**	**2013-14**	**2014-15**	**2015-16**	**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

There is no anticipated direct material effect on state governmental expenditures as a result of this measure. Local law enforcement agencies may realize an indeterminable decrease in expenditures associated with the issuance of summons in lieu of arresting persons for misdemeanor felony theft or illegal possession of stolen things when the thing of value is between $500 to $1,000. The cost decrease will depend on the number of persons that would have otherwise been arrested and the cost per day for a local law enforcement agency to incarcerate an offender. The issuance of a summons would also be at the discretion of the peace officer.

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}
☐ 13.5.2 >= $500,000 Annual Tax or Fee Change {S&H}
☐ 6.8(F)1 >= $500,000 Annual Fiscal Cost {S}
☐ 6.8(F)2 >= $100,000 Annual SGF Cost {H&S}
☐ 6.8(G) >= $500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

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