

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 96** HLS 12RS 127

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> February 13, 2012 2:00 PM	<b>Author:</b> MORENO
<b>Dept./Agy.:</b> Corrections	<b>Analyst:</b> Matthew LaBruyere
<b>Subject:</b> Crime	

CRIME OR INCREASE LF EX See Note Page 1 of 1  
Creates the crime of online impersonation

Proposed legislation provides that it shall be unlawful for any person, with the intent to harm, intimidate, threaten, or defraud, to intentionally use the name of another person or to impersonate another person, without the consent of that person, in order to engage in any of the following: open an electronic mail account, any other type of account, or a profile on a social networking website or other internet website; post or send one or more messages on or through a social networking website or other internet website. Proposed legislation further provides that it shall be unlawful for any person, with the intent to harm or defraud, to send electronic mail, instant message, text message, or other form of electronic communication that references a name, domain address, phone number, or other item of identifying information belonging to another person without the consent of that person and with the intent to cause the recipient of the communication to believe that the other person authorized or transmitted the communication. Proposed legislation provides for penalties, including a fine of not less than \$250 nor more than \$1,000, imprisonment for not less than 10 days nor more than six months, or both.

<b>EXPENDITURES</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</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>						

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on state governmental expenditures as a result of this measure. The proposed legislation is a misdemeanor; therefore, these offenders are not sentenced to the Department of Public Safety and Corrections. Local law enforcement agencies may realize an indeterminable increase in expenditures associated with prison costs. The cost increase will depend on the number of persons convicted, the minimum sentence an offender serves, and the cost per day for a local law enforcement agency to incarcerate an offender.

**REVENUE EXPLANATION**

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

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>	<i>Evan Brasseaux</i>
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}	<input type="checkbox"/> 6.8(F)1 >= \$500,000 Annual Fiscal Cost {S}	<input type="checkbox"/> 6.8(F)2 >= \$100,000 Annual SGF Cost {H&S}	<b>Evan Brasseaux</b> <b>Staff Director</b>
<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}		