

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 220** HLS 12RS 861

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 13, 2012 2:44 PM	Author: BISHOP, WESLEY
Dept./Agy.: Corrections	Analyst: Matthew LaBruyere
Subject: Weapons	

WEAPONS/FIREARMS OR INCREASE GF EX See Note
Amends penalty provisions for reckless discharge of a firearm at a parade

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Proposed legislation retains present law and increases the minimum mandatory sentence from 3 years without the benefit of parole, probation, or suspension of sentence to 5 years without the benefit of parole, probation, or suspension of sentence.

EXPENDITURES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	INCREASE	INCREASE	
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						
REVENUES	2012-13	2013-14	2014-15	2015-16	2016-17	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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation may result in an indeterminable increase in state general fund expenditures if a defendant is convicted of discharging a firearm at a parade or demonstration. The exact fiscal impact of the passage of this legislation is indeterminable, since the legislation increases the minimum mandatory sentence and it is not known how many individuals will be convicted of this crime. However, any offender sentenced to the custody of the Department of Public Safety and Corrections increases expenditures by \$50.75 per day per offender in a state facility.

To the extent a defendant is convicted and is imprisoned at hard labor for 5 years without the benefit of parole, probation, or suspension of sentence, the cost would be \$92,620 (1 offender x \$18,524 per year in a state facility x 5 years). This is an increase of \$37,048 (\$18,524 per year x 2 years) from present law which requires 3 years served without the benefit of parole, probation, or suspension of sentence. The cost to the Department of Corrections would be realized in years 4 and 5 in the chart above.

According to the Department of Corrections, there are currently no offenders sentenced for this crime.

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 >= \$500,000 Annual Fiscal Cost {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}

Evan Brasseaux

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Staff Director