



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 18** HLS 12RS 222

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 9, 2012	9:17 AM	Author: MORRIS, JAY
Dept./Agy.: Corrections		
Subject: Battery		Analyst: Matthew LaBruyere

CRIME/BATTERY

EN INCREASE GF EX See Note

Page 1 of 1

Increases penalties for certain crimes of battery when committed on U.S. servicemen and disabled veterans

Proposed legislation retains present law and adds a minimum mandatory sentence of one year to the crimes of aggravated battery, second degree battery, and aggravated second degree battery if an offender knew or should have known that the victim was an active member of the U.S. Armed Forces or a disabled veteran. Proposed legislation also defines “active member of the United States Armed Forces” and “disabled veteran.”

EXPENDITURES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	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	\$0	\$0	\$0	\$0	\$0	\$0
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	\$0	\$0	\$0	\$0	\$0	\$0
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 aggravated battery, second degree battery, or aggravated second degree battery and the offender knew or should have known that the victim was an active member of the U.S. Armed Forces or a disabled veteran. The exact fiscal impact of the passage of this legislation is indeterminable, since it imposes a minimum mandatory sentence if the offender knew or should have known that the victim was an active member of the U.S. Armed Forces or a disabled veteran 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 \$24.39 per day per offender in local facilities. To the extent that offenders are sentenced and housed in state facilities, the cost per day per offender is \$50.75. Currently, the Department of Corrections houses 50% of state offenders at the local level and 50% at the state level.

To the extent a defendant is convicted and is sentenced to 1 year of incarceration, the cost to house the offender at a local facility would be \$8,902 (1 offender x \$24.39 per day x 365 days) and the cost to house the offender at a state facility would \$18,524 (1 offender x \$50.75 per day x 365 days).

REVENUE EXPLANATION

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