



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 47** HLS 12RS 374

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action: **w/ SEN COMM AMD**

Proposed Amd.:

Sub. Bill For.:

Date: May 16, 2012	7:26 AM	Author: MACK
Dept./Agy.: Corrections		
Subject: DWI Offenses		Analyst: Matthew LaBruyere

DWI

RE1 INCREASE LF EX See Note

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Provides for a minimum mandatory jail sentence for certain DWI offenses

Present law provides that on a conviction of a second offense DWI, the offender shall be fined \$750 to \$1,000, and shall be imprisoned for 30 days to six months with at least 48 hours of the sentence imposed to be served without benefit of parole, probation, or suspension of sentence.

Proposed legislation retains present law and provides that if the arrest for the second offense occurs within one year of the commission of the first offense, the offender shall be imprisoned for 30 days without benefit of parole, probation, or suspension of sentence and shall participate in a court approved substance abuse and a court approved driver improvement plan.

EXPENDITURES	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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

REVENUES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
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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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

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.

It should be noted that any costs associated with offenders participating in court approved substance abuse and driver improvement programs would be paid for by the offender.

REVENUE EXPLANATION

The proposed legislation would result in an indeterminable increase in local fund revenue. The local governmental entity that provides the substance abuse and driver improvement programs would receive payment from the offender for the entire cost of the programs attended. The exact cost of the programs is indeterminable since the costs of the programs vary.