

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 291** SLS 14RS 404

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

| | |
|---|--------------------------------|
| Date: March 31, 2014 11:20 AM | Author: MORRELL |
| Dept./Agy.: Supreme Court/Judicial | Analyst: Patrice Thomas |
| Subject: Exemplary Damages in Domestic Abuse Suits | |

CIVIL PROCEDURE

EG SEE FISC NOTE See Note

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Authorizes exemplary damages in certain suits arising from domestic abuse. (8/1/14)

Proposed law authorizes exemplary damages to be awarded in suits between certain household members arising from acts of domestic abuse when the injuries are caused by a wanton and reckless disregard for the rights and safety of the household member. Proposed law is effective 08/01/2014.

| EXPENDITURES | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 5 -YEAR TOTAL |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | SEE BELOW | |
| 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 | |
| Annual Total | | | | | | |
| REVENUES | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 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 |

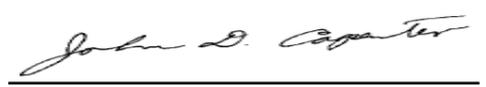
EXPENDITURE EXPLANATION

This proposed legislation may increase governmental expenditures by an indeterminable amount related to court costs associated with judicial workload, time and attendance (presence of judges, clerks, bailiffs, counsel, etc.) in order to review additional evidence to support the finding of domestic abuse. The Legislative Fiscal Office cannot determine the number of domestic abuse suits that would require addition judgments for exemplary (punitive) damages as a result of this measure. Proposed legislation allows the courts to award a new category of damages (exemplary damages) to a victim of domestic abuse. Presently, state law provides that exemplary damages may be awarded to those forced into acts of child pornography, sexually assaulted while a minor or injured by a drunk driver.

REVENUE EXPLANATION

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

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|---|----------------------------|--------------|--|
| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S} |
| <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} |


John D. Carpenter
Legislative Fiscal Officer