

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 328** HLS 14RS 793

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 29, 2014	9:14 AM	Author: LOPINTO
Dept./Agy.: Corrections		
Subject: Authorizes execution of a death sentence by electrocution		Analyst: Stephanie C. Blanchard

CRIMINAL/PROCEDURE

OR SEE FISC NOTE GF EX

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Authorizes execution of a death sentence by electrocution

Present law provides that every sentence of death executed on or after September 15, 1991, shall be by lethal injection, which is the intravenous injection of a substance or substances in a lethal quantity into the body of a person convicted until such person is dead.

Proposed law retains lethal injection as a form of execution, but also authorizes electrocution as a form of execution for any execution ordered after August 1, 2014. Further provides that the method of execution shall be chosen by the secretary of the department based upon the ability to perform the execution.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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

The proposed legislation will increase state general fund expenditures of the Department of Corrections (DOC). According to DOC, the initial setup and cost to build and outfit the chair with the necessary apparatuses is approximately \$1,000. Proposed law retains lethal injection as a form of execution, but also authorizes electrocution as a form of execution for any execution ordered after August 1, 2014. Further provides that the method of execution shall be chosen by the secretary of the department based upon the ability to perform the execution.

However, expenditures will likely increase for each instance that lethal injection is used due to the cost of the drugs.

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} |

Evan Brasseaux

Evan Brasseaux
Staff Director