

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 16** HLS 23RS 299

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 3, 2023	2:28 PM	Author: SCHLEGEL
Dept./Agy.: Corrections		Analyst: Daniel Druilhet
Subject: Added Penalties for Simple Burglary - Certain Circumstances		

CRIME EG INCREASE GF EX See Note
Provides relative to the crime of simple burglary

Current law provides the definition for the crime of simple burglary and imposes a penalty of imprisonment with or without hard labor for not more than twelve years, a fine of not more than \$2,000, or both. Current law also imposes a sentence of imprisonment with or without hard labor for not less than three nor more than twelve (12) years for the crime of simple burglary committed while armed with a firearm.

Proposed law amends present law to add a penalty of imprisonment with or without hard labor for not less than one nor more than 12 years for an offender who (1) commits multiple simple burglaries as a part of a continuous sequence of events or (2) commits a simple burglary within one-half mile of any fair, festival, musical, or theatrical production, parade, or sporting event. Proposed law requires one year of the sentence of imprisonment be imposed without benefit of probation or suspension of sentence.

EXPENDITURES	2023-24	2024-25	2025-26	2026-27	2027-28	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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						

REVENUES	2023-24	2024-25	2025-26	2026-27	2027-28	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						

EXPENDITURE EXPLANATION

Proposed law will likely result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPSC – CS) if a person is convicted of committing multiple simple burglaries as a part of a continuous sequence of events or commits a simple burglary within one-half mile of any fair, festival, musical, or theatrical production, parade, or sporting event. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many people will be convicted or the length of sentences imposed on those who are convicted as a result of this change to present law.

SGF expenditures will increase by \$101.76 per offender per day to the extent that an offender is convicted and then housed in a state facility or \$26.39 per offender per day for an offender housed in a local facility. An offender sentenced to the custody of the DPSC – CS for one year would increase expenditures by \$37,142.40 (\$101.76 per day x 365 days) if housed in a state facility and \$9,632.35 (\$26.39 per day x 365 days) if housed in a local facility.

REVENUE EXPLANATION

Proposed law will likely result in an indeterminable increase in local revenues as a result of potential fines for offenders who are convicted of simple burglary. The maximum fine for conviction of simple burglary is \$2,000. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because while \$2,000 is the maximum allowable fine, assessing fines of less than \$2,000 (or not at all) is also permissible. The potential revenue will accrue to the local governing authority.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux
Evan Brasseaux
Interim Deputy Fiscal Officer