

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 508** HLS 14RS 1305

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> March 28, 2014 1:56 PM	<b>Author:</b> GREENE
<b>Dept./Agy.:</b> Corrections	<b>Analyst:</b> Stephanie C. Blanchard
<b>Subject:</b> Offenses of operating a vehicle while intoxicated	

DWI OR INCREASE GF EX See Note  
Provides relative to certain offenses of operating a vehicle while intoxicated

Present law provides for the crimes of vehicular negligent injuring, first degree vehicular negligent injuring, and operating a vehicle while intoxicated and provides five elements of the offense that exist during the operation of the vehicle. Proposed law retains present law and adds an element to each of these offenses that occur during the operation of the vehicle the operator's blood has any detectable amount of any controlled dangerous substances listed in Schedule I, II, III, or IV as set forth in present law, or a metabolite of such controlled dangerous substance, that has not been medically ordered or prescribed.

<b>EXPENDITURES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

The proposed legislation may result in an increase in state general fund expenditures if a defendant is convicted of vehicular negligent injuring, first degree vehicular negligent injuring, and operating a vehicle while intoxicated that occurs on the basis of the additional element. The exact fiscal impact of the passage of this legislation is indeterminable, since it adds an element to each crime and it is not known how many people will be convicted of these crimes. 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 \$52.51.

To the extent that some of these crimes committed are a misdemeanor, 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.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure. Any revenue generated through the imposition of fines created by this legislation would accrue to local government entities.

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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*  
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