

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 1264** HLS 10RS 1980

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 20, 2010	1:41 PM	Author: LAFONTA
Dept./Agy.: Corrections		Analyst: Matthew LaBruyere
Subject: Criminal damage		

CRIME EG INCREASE GF EX See Note Page 1 of 1
Creates the crime of criminal damage to historic buildings and landmarks by defacing with graffiti

The proposed legislation creates the crime of criminal damage to historic buildings and landmarks by defacing it with graffiti. The proposed legislation defines: deface, defacing, graffiti, and historic building or landmark. The proposed legislation provides penalties of a fine of not more than \$1,000 and imprisonment with or without hard labor for not more than 2 years, and at least one year of the sentence imposed shall be served without the benefit of parole, probation, or suspension of sentence.

EXPENDITURES	2010-11	2011-12	2012-13	2013-14	2014-15	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0
REVENUES	2010-11	2011-12	2012-13	2013-14	2014-15	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	SEE BELOW					
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation may result in an increase in state general fund expenditures. The exact fiscal impact of the passage of this legislation is indeterminable since it creates the crime of criminal damage to historic buildings and landmarks by defacing with graffiti and it is not known how many people will be convicted of this crime. 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 \$54.49. Currently, the Department of Corrections houses 50% of state offenders at the local level and 50% at the state level.

To the extent a person is arrested for this crime and convicted, expenditures would increase by at least \$8,902 (\$24.39 per day x 365 days) per year per offender in a local facility or \$19,889 (\$54.49 per day x 365 days) per year per offender in a state facility since one year must be served without the benefit of parole, probation, or suspension of sentence.

REVENUE EXPLANATION

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

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

House
 6.8(F) >= \$100,000 Annual SGF Cost
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

Robert E. Hosse
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LFO Staff Director