

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 99** SLS 25RS 276
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 24, 2025 10:19 AM	Author: CATHEY
Dept./Agy.: Corrections and Sheriffs	
Subject: Malfeasance in Office - Traffic Cameras and Citations	Analyst: Daniel Druilhet

TRAFFIC EG SEE FISC NOTE GF EX Page 1 of 1
 Provides for malfeasance in office relative to traffic cameras for the issuance of citations. (8/1/25)

Current law provides the definition for malfeasance in office; provides for the use of handheld speed recording devices and the applicable restrictions placed on their use. Proposed law adds violating the prohibitions of unmanned traffic cameras or speed limit enforcement devices used for the purpose of issuing citations by mail to the crime of malfeasance in office; provides that in addition to any other remedy provided by law, the use of unmanned automated speed enforcement devices or mobile speed cameras that can be mounted in a vehicle or deployed at various locations to monitor and record the speed of passing traffic for the purpose of issuing a citation of an alleged violation by mail intentionally inconsistent with approved use, shall be punishable by imprisonment for no more than 10 years, with or without hard labor, or a fine of no more than \$5,000, or both, restitution to the state if the state suffered a loss, or immediate revocation of P.O.S.T. certification if the individual convicted is a peace officer.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	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	2025-26	2026-27	2027-28	2028-29	2029-30	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						

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety & Corrections - Corrections Services (DPS&C-CS), to the extent that a person is convicted for malfeasance in office. While the proposed law does not enhance penalties for potential offenders, it adds specific circumstances under which persons can be prosecuted under current law. Proposed law (malfeasance in office) is a relative felony, and any impact on either state or local expenditures is contingent on whether persons sustain either misdemeanor or felony-grade convictions for its violation.

To the extent that offenders sustain a felony-grade conviction for violation of the proposed law, DPS&C-CS will sustain an indeterminable increase in expenditures. For those convicted, sentenced, and then subsequently housed in a state facility, DPS&C-CS will sustain expenditures of \$107.60 per offender per day. For those housed in local facilities, DPS&C-CS will sustain expenditures of \$26.39 per offender per day. DPS&C-CS advises that impacts on offender populations are anticipated to impact the number of offenders held in local facilities, and that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities.

To the extent that offenders sustain a misdemeanor conviction for violation of the proposed law, local governing authorities will sustain Local Funds expenditures. The exact fiscal impact of the passage of this legislation to local governing authorities is indeterminable, since it is not known how many people will be convicted and incarcerated in local facilities, nor the length of the sentences assessed with those convictions as a result of its potential enactment. The maximum imprisonment term is no more than 10 years.

For informational purposes, DPS&C-CS reports that for the last five years, those convicted of malfeasance in office have served 3.64 years of imprisonment.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of malfeasance in office. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable, as the fines that would be imposed on those convicted are optional, and the amount of fines, if imposed, may vary. The potential revenue will accrue to the local governing authority.

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


Patrice Thomas
Deputy Fiscal Officer