



**LEGISLATIVE FISCAL OFFICE  
Fiscal Note**

Fiscal Note On: **HB 260** HLS 25RS 876  
 Bill Text Version: **REENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> May 12, 2025 9:59 AM	<b>Author:</b> VILLIO
<b>Dept./Agy.:</b> Corrections and Sheriffs	
<b>Subject:</b> Second Degree Murder	<b>Analyst:</b> Daniel Druilhet

CRIME/HOMICIDE RE SEE FISC NOTE GF EX Page 1 of 1  
 Provides relative to second degree murder

Current law provides for the crime of second degree murder; provides for a list of offenses that may constitute second degree murder even when the offender has no intent to kill or to inflict great bodily harm. Proposed law adds resisting a police officer with force or violence to the list of offenses that may constitute second degree murder when the resistance with force or violence results in the killing of a human being; adds, as an additional circumstance of second degree murder, the killing of a human being when committed by a person who is in the course of or acting as a principal to felony simple escape or aggravated escape or is evading a lawful arrest after the commission of felony simple escape or aggravated escape; adds unlawful distribution or dispensation of a controlled dangerous substance or unlawful distribution or dispensation of a controlled dangerous substance to another who subsequently distributes or dispenses such controlled dangerous substance (listed in Schedules I through IV of the Uniform Controlled Dangerous Substances Law) or any combination thereof, which significantly contributes to the death of the recipient who ingested or consumed the controlled dangerous substance to circumstances under which a person can be prosecuted for manslaughter; effective upon signature by governor or lapse of time for gubernatorial action.

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	\$0	\$0	\$0	\$0	\$0	\$0
<b>Annual Total</b>						
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	\$0	\$0	\$0	\$0	\$0	\$0
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPS&C – CS) if a person is convicted of second degree murder while engaged in resisting a police officer with force or violence or killing a human being after escaping from the lawful custody of a law enforcement officer or a place of lawful confinement. Proposed law may also result in an indeterminable increase in SGF expenditures in DPS&C-CS, to the extent that a person is convicted of unlawful distribution or dispensation of a controlled dangerous substance or unlawful distribution or dispensation of a controlled dangerous substance to another who subsequently distributes or dispenses such controlled dangerous substance (listed in Schedules I through IV of the Uniform Controlled Dangerous Substances Law) or any combination thereof, which significantly contributes to the death of the recipient who ingested or consumed the controlled dangerous substance. Proposed law has the effect of expanding the circumstances under which violations of current law can occur. The exact fiscal impact of the passage of this legislation to state and local governing authorities is indeterminable, since it is not known how many people will be convicted, nor the length of the sentences assessed as a result of its potential enactment. The sentence imposed for second degree murder is life imprisonment at hard labor without the benefit of parole, probation, or suspension of sentence, while the sentence imposed for manslaughter is imprisonment at hard labor for no more than 40 years (and in cases where the victim killed is under 10 years of age, imprisonment at hard labor without benefit of probation or suspension of sentence, for no less than 10 nor more than 40 years).

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 convicted, sentenced, and then subsequently housed in a local facility, 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 in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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}

  
**Patrice Thomas**  
 Deputy Fiscal Officer