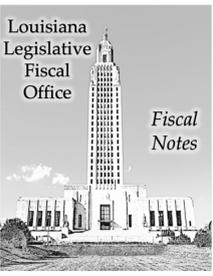


**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



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

<b>Date:</b> June 2, 2025	5:14 PM	<b>Author:</b> CATHEY
<b>Dept./Agy.:</b> Corrections and Sheriffs		<b>Analyst:</b> Daniel Druilhet
<b>Subject:</b> Malfeasance in Office - Traffic Cameras and Citations		

TRAFFIC EN SEE FISC NOTE GF EX Page 1 of 2  
 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 use of unmanned automated speed enforcement devices or mobile speed cameras to monitor and record the speed of traffic for the purpose of issuing a citation by mail intentionally inconsistent with approved use, shall be punishable by imprisonment for no more than 10 years, with or without hard labor, or no more than a \$5,000 fine, or both, restitution to the state, or immediate revocation of P.O.S.T. certification; provides that automated speed enforcement devices and mobile speed cameras shall not be used anywhere other than school zones lawfully posted; requires local municipalities to post signs indicating presence of automated speed enforcement devices or mobile speed cameras; provides for review regarding adverse decisions on citations; provides that criminal fines or fees shall not be imposed as a result of automated speed enforcement devices or mobile speed cameras in issuing violations by mail; provides that certain provisions shall not apply to a governing authority of a municipality with a population more than 15,000 and less than 16,000, within a parish population of less than 90,000.

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					
<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 & 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. [CONTINUED ON PAGE TWO]

- |   |                            |  |
|---|----------------------------|--|
| <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**



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**CONTINUED EXPLANATION from page one:**

[CONTINUED FROM PAGE ONE - REVENUE EXPLANATION]

Proposed law may result in an indeterminable decrease in revenues to local municipalities and parishes that receive revenue from criminal fines or fees imposed as a result of automated speed enforcement devices and mobile speed cameras. The proposed law has the effect of eliminating a source of revenue to governing authorities of municipalities from traffic citations that are issued by mail from automated speed enforcement devices or mobile speed cameras (with the exception of those governing authorities for municipalities with a population more than 15,000 and less than 16,000, within a parish population of less than 90,000). The exact fiscal impact to Local revenues is indeterminable, because it is unknown the amount of revenue generated from automated speed enforcement devices and mobile speed cameras that are issued by mail, and the amount of revenue generated from this source is variable throughout local municipalities and parishes.

Note: Any potential revenue loss from citations issued by mail from automated speed enforcement devices or mobile speed cameras may be supplanted by citations issued by municipalities and parishes by local law enforcement and sheriffs via traffic stops. The degree to which any revenue loss will be offset by citations issued by law enforcement is indeterminable.

**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**