



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 76** HLS 25RS 598
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: June 3, 2025	1:56 PM	Author: MOORE
Dept./Agy.: Corrections and Sheriffs		Analyst: Daniel Druilhet
Subject: Felony/Misdemeanor Intentional Exposure to a STD		

CRIME/SEX OFFENSES RE SEE FISC NOTE GF EX Page 1 of 1
 Creates the crimes of felony and misdemeanor intentional exposure to a sexually transmitted disease

Proposed law creates the crimes of intentional infection of an incurable sexually transmitted disease (STD); makes it unlawful for any person to, with specific intent, infect another human with an incurable STD without the knowing and lawful consent of the victim, if the offender knew he had an incurable STD at the time of infection, and the offender engaged in sexual intercourse, selling or donating his own blood, blood products, semen, tissue, organs, or other bodily fluids, or sharing with another individual a hypodermic needle, syringe, or both; assesses a sentence of imprisonment and fines for conviction as follows - for an offender 17 or older who victimizes a person under 13, 25 nor more than 29 years imprisonment (25 without probation, parole, or suspension of sentence); for victims under 18 years with an offender with an age difference of no more than 2 years, 10 nor more than 25 years imprisonment (10 without probation, parole or suspension of sentence), with or without hard labor, or a fine of no more than \$10,000, or both; for victims 65 or older, imprisonment for no more than 25 years, with or without hard labor, or a fine of no more than \$20,000, or both; for offenders diagnosed with an intellectual disability, imprisonment with or without hard labor for no more than 15 years, with or without hard labor or a fine of no more than \$10,000, or both; for misdemeanors, imprisonment for no more than 6 months, a fine of no more than \$1,000, or both.

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 and Corrections – Corrections Services (DPS&C – CS), if a person is convicted of intentional infection of an incurable sexually transmitted disease. The exact fiscal impact of the passage of this legislation is indeterminable, since it creates a crime, and it is not known how many people will be convicted nor the length of the sentences assessed with those convictions as a result of its potential enactment. Proposed law is a relative felony, and any impact on either state or local expenditures is contingent on whether offenders sustain either misdemeanor or felony-grade convictions for its violation, along with the particular sentences imposed for offenders relative to victims that are impacted.

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 for misdemeanor intentional exposure to a sexually transmitted disease is no more than six months.

REVENUE EXPLANATION

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

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