

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 136** HLS 18RS 506
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.: **REVISED**

Date: April 3, 2018	8:47 AM	Author: FOIL
Dept./Agy.: Corrections		Analyst: Monique Appeaning
Subject: Heroin Penalties		

CONTROLLED SUBSTANCES OR SEE FISC NOTE GF EX Page 1 of 1
 Increases penalties for the manufacture, production, distribution, or possession with intent to distribute heroin

Proposed law increases the penalties for the manufacture, production, distribution, or possession with intent to distribute heroin.

EXPENDITURES	2018-19	2019-20	2020-21	2021-22	2022-23	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						
REVENUES	2018-19	2019-20	2020-21	2021-22	2022-23	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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law will likely result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections - Corrections Services (DPSC) as a result of the minimum imprisonment term increasing from five years to twenty years if a person is convicted of unlawful manufacturing, distributing, dispensing, or possessing with intent to distribute heroin or its equivalents.

SGF expenditures will increase by \$54.21 per offender per day if an offender is housed in a state facility or \$24.39 for a state offender housed in a local facility. An offender sentenced to the custody of the Department of Public Safety and Corrections - Corrections Services for one year would increase SGF expenditures by \$19,786.65 (\$54.21 per day x 365 days) if housed in a state facility and \$8,902.35 (\$24.39 per day x 365 days) if housed in a local facility. Approximately 50% of state offenders are housed in state facilities and approximately 50% of state offenders are housed in local facilities.

For informational purposes, Corrections Services reports there were 141 new admissions in FY 17 for the above mentioned crimes. Of these, 9 offenders were habitual offenders who had an average sentence length imposed of 13 years. Proposed law would result in a minimum additional 7 years of imprisonment for habitual offenders assuming the number of admissions and corresponding sentences in FY 17 is typical. The remaining 132 received an average sentence length imposed of 7 years. Proposed law would result in a minimum additional 13 years of imprisonment for these individuals assuming the number of admissions and corresponding sentences in FY 17 is typical. **The annual incarceration cost for 141 offenders is \$2,789,917.65 (\$19,786.65 per year per offender x 141 offenders) if housed in a state facility or \$1,255,231.35 (\$8,902.35 per year per offender x 141 offenders) if housed in a local facility.**

NOTE: Any potential significant expenditure impact would likely fall outside the five-year window of the fiscal note.

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}

Evan Brasseaux
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