



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: HB 594 HLS 18RS 865
Bill Text Version: ORIGINAL
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: March 26, 2018 3:19 PM
Author: CARTER, G.
Dept./Agy.: Corrections and Public Service Commission
Subject: Telephone Solicitation
Analyst: Monique Appeaning

CRIME OR SEE FISC NOTE GF EX Page 1 of 1
Creates the crime which would prohibit telemarketing targeted at the elderly population

Present law provides for criminal penalties for a crime involving telephone communications, improper language and harassment. Proposed law adds "telemarketing to the elderly." Proposed law defines telephone solicitation.

Table with 7 columns: EXPENDITURES, 2018-19, 2019-20, 2020-21, 2021-22, 2022-23, 5 -YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

Table with 7 columns: REVENUES, 2018-19, 2019-20, 2020-21, 2021-22, 2022-23, 5 -YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in SGF expenditures for the Department of Public Safety and Corrections - Corrections Services if a person is convicted for a second or subsequent offense of engaging in telephone solicitation of a person who is 65 years of age or older.

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.

A first conviction is a misdemeanor and would result in an indeterminable increase in expenditures for local governing authorities if a person is convicted of engaging in telephone solicitation of a person who is 65 years of age or older.

Proposed law provides an additional charge for District Attorneys (DAs) to consider when examining evidence related to the arrest of individuals suspected of committing or being involved in the commission of certain crimes related to engaging in telephone communications.

The Louisiana District Attorneys Association (LDAA) reports that proposed law would be difficult to prove and prosecute, and would likely require computer forensic investigation.

REVENUE EXPLANATION

The proposed law may result in an indeterminable increase in local funds revenue as a result of potential fines for the crime of engaging in telephone solicitation of a person who is 65 years of age or older.

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
Evan Brasseaux
Staff Director