

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 7** HLS 19RS 251

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.: **w/ PROP HSE COMM AMD**

Sub. Bill For.:

Date: April 8, 2019	7:56 AM	Author: DWIGHT
Dept./Agy.: Statewide		Analyst: Monique Appeaning
Subject: Unlawful Acts for Specific or Intended Use of Certain Devices		

CRIME OR SEE FISC NOTE GF EX Page 1 of 1
Creates the crime of communication interference

Proposed law creates the crime of communication interference described as any person acting to willfully or maliciously injure, destroy, obstruct, hinder, delay the transmission of, or interfere with any of the following communications: (1) communications operated or controlled by the state, its contractors, or its political subdivisions, (2) communications used or intended to be used for military or civil defense functions of the state, and (3) communication controlled by any domestic or foreign corporation, limited liability company, or other legal entity created for the purpose of or engaged in generating, transmitting, providing, and distributing utilities or utility services to the public. Proposed law provides for specific criminal penalties for a first offense as well as second and subsequent offenses. Proposed law provides for specific exceptions for any lawful strike activity, or other lawful concerted activities for the purposes of collective bargaining or other mutual aid and protection which do not injure or destroy any line or system used or intended to be used for and by the state, for military or civil defense functions of the state, or for any private entity as described in proposed law.

EXPENDITURES	2019-20	2020-21	2021-22	2022-23	2023-24	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	2019-20	2020-21	2021-22	2022-23	2023-24	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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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 of communication interference. A first conviction has a maximum imprisonment term of ten years with or without hard labor and a second or subsequent offense has a maximum imprisonment term of fifteen years with or without hard labor. The number of individuals that may be convicted under the provisions of proposed law is indeterminable.

SGF expenditures will increase by \$60.09 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 - Correction Services for one year would increase SGF expenditures by \$21,992.03 (\$60.09 per day x 366 days) if housed in a state facility and \$8,926.74 (\$24.39 per day x 366 days) if housed in a local facility.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local funds revenue as a result of potential fines if a person is convicted of communication interference. The maximum fines assessed are: first offense - \$10,000 and second or subsequent offenses - \$10,000. The potential revenue will accrue to the local governing authority. The potential net effect on sentencing decisions cannot be determined and the potential revenue impact is therefore unknown.

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