

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 307** HLS 19RS 736

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 23, 2019 10:27 AM	Author: JOHNSON, M.
Dept./Agy.: Public Safety and Corrections	Analyst: Monique Appeaning
Subject: Amends Public Intimidation and Retaliation	

CRIME OR SEE FISC NOTE GF EX Page 1 of 1
Provides relative to the crimes of public intimidation and retaliation

Proposed law amends the present law crimes to include extortionate threats and true threats. Proposed law provides that "extortionate threats" occur when a person communicates an unlawful threat to harm another person with the intention to obtain anything of value or any acquittance, advantage, or immunity of any description and the person would not otherwise be able to lawfully secure such advantage willingly from the victim. Proposed law provides that "true threats" occur when a person communicates a serious expression of an intent to commit an unlawful act of violence upon a person or group of persons with the intent to place such persons in fear of bodily harm or death. The person need not actually intend to carry out the threat. Proposed law retains present law penalties.

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 expenditure to the Department of Public Safety and Corrections - Correction Services if a person is convicted of the crime of public intimidation and retaliation that includes the elements of extortionate or true threats. The maximum imprisonment term is five years with or without hard labor.

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. Each year an offender is sentenced to the custody of the Department of Public Safety and Corrections - Correction Services creates an annual SGF expenditure obligation of \$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.

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 the public intimidation and retaliation that includes eliminates of extortionate or true threats. The potential expenditure impact is indeterminable as the number of offenders that DAs may decide to prosecute under proposed law is unknown. The potential net effect on sentencing decisions cannot be determined and the potential cost impact is therefore unknown.

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 public intimidation and retaliation that includes elements of extortionate or true threats. The maximum fine is \$1,000. The potential net effect on sentencing decisions cannot be determined and the potential revenue impact is therefore unknown. 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}

Evan Brasseaux
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Staff Director