

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 156** SLS 19RS 346

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 2, 2019	9:27 AM	Author: RISER
Dept./Agy.: Sheriff's Offices		Analyst: Willis Brewer
Subject: Access to criminal history information in certain civil cases		

DOMESTIC VIOLENCE EG SEE FISC NOTE LF EX See Note Page 1 of 1
Provides for access to criminal history information in civil cases of domestic violence, human trafficking, and sexual assault. (8/1/19)

Proposed law retains present law and provides that a licensed La. attorney who is counsel of record in civil cases involving a victim of domestic violence, human trafficking, dating violence, or sexual assault may obtain criminal history records from the Sheriff's Office related to the defendant and witnesses in that civil case.

Proposed law further provides that a pro se litigant may also obtain the same information that an attorney may obtain so long as the pro se litigant obtains a court order from the judge assigned to the civil case.

Proposed law retains present law and adds La. attorneys who are counsel of record to victims in civil cases involving domestic violence, human trafficking, dating violence, and sexual assault and their licensed investigators to the list of entities who may obtain the criminal history records by paying the fee to the Sheriff's Office.

EXPENDITURES	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						

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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

EXPENDITURE EXPLANATION

Proposed law may create an increased workload and corresponding LF expenditures for sheriff offices to allow for fingerprint-based criminal history background checks of the state databases for attorneys that are representing a victim of domestic violence, human trafficking, dating violence, or sexual assault or a pro se litigant to access state and federal criminal history records on a certain individual who is a defendant or a witness in the civil cases in which the attorney is counsel of record.

The number of additional requests that may arise cannot be determined at this time. It is anticipated that sheriff offices will be able to use existing staff and resources to comply with proposed law. However, to the extent the increased workload overextends the current staff capacity, additional personnel or overtime expenditures may be needed.

REVENUE EXPLANATION

Proposed law will create an indeterminate increase in LF revenues for sheriff offices from the potential increase in background checks. Per RS 15:587, sheriff's may charge a reasonable processing fee of not more than fifteen dollars per inquiry, of which, five dollars of the processing fee shall be remitted to the Louisiana Sheriffs' Association for the operation of the Louisiana Civil and Criminal Information Network (LACCIE).

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