

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 421** HLS 20RS 884

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 5, 2020	10:09 AM	Author: BROWN, CHAD
Dept./Agy.: LA Dept. of Insurance/Dept. of Public Safety		Analyst: Zachary Rau
Subject: Requirements of Bail Enforcement Agents		

INSURANCE

OR INCREASE SD RV See Note

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Provides relative to bail bond enforcement

Proposed law requires bail enforcement agents who are domiciled in LA and carry firearms to have a valid concealed carry permit issued by the Dept. of Public Safety, Office of State Police (OSP). Proposed law further requires out-of-state bail enforcement agents to have a valid LA concealed carry permit issued by OSP or another state-accredited certification allowing the agent to carry a firearm. Proposed law increases continuing education requirements for bail enforcement agents by 6 hours, from 12 hours to 18 hours, and further requires the continuing education apply to be dedicated to bail enforcement as defined in proposed law. Proposed law creates the misdemeanor of conducting bail enforcement while carrying a firearm without having a valid concealed handgun permit or other state-accredited permit, and provides that those found guilty may be imprisoned in parish jails for no more than six months and be subject to a fine of no more than \$5,000. Proposed law provides that persons found guilty of the aforementioned misdemeanor shall forfeit their license to conduct insurance business in this state and be precluded from obtaining a license to conduct insurance business in LA for three years.

EXPENDITURES	2020-21	2021-22	2022-23	2023-24	2024-25	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					
Annual Total						

REVENUES	2020-21	2021-22	2022-23	2023-24	2024-25	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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>	\$0
Annual Total						

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on state governmental expenditures as a result of this measure. The proposed legislation creates the misdemeanor of conducting bail enforcement while carrying a firearm without having a valid concealed handgun permit or other state-accredited permit; therefore, these offenders are not sentenced to the Department of Public Safety & Corrections. Local law enforcement agencies may realize an indeterminable increase in expenditures associated with prison costs dependent upon the number of persons convicted, the minimum sentence an offender serves, and the cost per day for a local law enforcement agency to incarcerate an offender.

REVENUE EXPLANATION

Proposed law will increase revenues for the statutorily dedicated Concealed Handgun Permit Fund by an indeterminable amount beginning in FY 21 and in subsequent fiscal years. The proposed legislation requires licensed bail enforcement agents operating in Louisiana and carrying firearms to have concealed handgun permits issued by the Dept. of Public Safety, Office of State Police (OSP) or another state-accredited credential allowing them to carry a firearm. Fees for a concealed handgun permit issued by OSP vary by license duration and are as follows: five-year permit, ages 21-64 - \$125; five-year permit, ages 65 and older - \$62.50; lifetime permit, ages 21-64 - \$500; lifetime permit, ages 65 and older - \$250. Furthermore, honorably discharged veterans are fee exempt, and active duty military members receive a 50% discount on all fees. Fees for concealed handgun permits accrue to the statutorily dedicated Concealed Handgun Permit Fund.

At present, the LA Dept. of Insurance (LDI) licenses 863 bail bond producers and all are permitted to act as bail enforcement agents. LDI does not track which bail bond producers are also acting as bail enforcement agents. It is assumed that a portion of bond producers are acting as enforcement agents and carry firearms while performing their work, and will need to obtain a concealed handgun permit to comply with proposed law. However, the number of bail enforcement agents requiring concealed handgun permits, the types of permits they will seek, their age, and their potential veteran status are unknown. Furthermore, the number of bail enforcement agents who may have credentials from other states allowing them to comply with the proposed legislation is similarly unknown. Because of the aforementioned factors, the revenue increase for the Concealed Handgun Permit Fund is indeterminable.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

Evan Brasseaux
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