

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 74** SLS 202ES 264

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> October 13, 2020 8:22 AM	<b>Author:</b> CLOUD
<b>Dept./Agy.:</b> Statewide	<b>Analyst:</b> Patrice Thomas
<b>Subject:</b> Expands Registration and Election Fraud or Forgery Definition	

ELECTION OFFENSES EG INCREASE GF EX See Note Page 1 of 1  
Provides relative to election offenses affecting registration and election fraud or forgery. (gov sig) (Item #5)

Under present law, no person shall knowingly, willfully, or intentionally: (1) vote or attempt to vote knowing that they are not qualified or attempt to influence another to person, knowing such person to be unqualified vote or their vote to be fraudulent; (2) register, vote, or attempt to register or vote in the name of another, assumed or fictitious name; (3) procure or submit voter registration applications that are materially false, fictitious, or fraudulent; (4) forge, alter, add to, deface, take, destroy, or remove any book, card, record, voter registration application, election return, nomination papers, withdrawals of candidacy, election supplies, election paraphernalia, or any affidavit or other document; (5) first offense - a fine of up to \$2,000, or imprisonment of up to 2 years, or both; second and subsequent offense - a fine of up to \$5,000, or imprisonment of up to 5 years, or both. Proposed law expands the present law to include knowingly, willfully or intentionally submitting an application to vote absentee mail or attempting to submit an application to vote absentee by mail.

<b>EXPENDITURES</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>						

  

<b>REVENUES</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>5 -YEAR TOTAL</b>
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Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections - Corrections Services (DPSC - CS) if a person is convicted of registration and election fraud or forgery as a result of submitting an application to vote absentee by mail or attempting to submit an application to vote absentee by mail. For the first violation, present law provides for a fine up to \$2,000 or up to 2 years of imprisonment with or without hard labor, or both. For the second and subsequent violation, present law provides for a fine up to \$5,000 or up to 5 years of imprisonment at hard labor. The number of individuals that may be convicted of this crime is indeterminable.

SGF expenditures would increase by \$67.44 per offender per day if an offender is housed in a state facility or \$26.39 for a state offender housed in a local facility. An offender sentenced to the custody of the DPSC - CS for one year would increase SGF expenditures by \$24,615.60 (\$67.44 per day x 365 days) if housed in a state facility and \$9,632.35 (\$26.39 per day x 365 days) if housed in a local facility. Approximately 50% of state offenders are housed in state facilities and approximately 50% are housed in local facilities. Local governing authorities would realize an indeterminable Local Funds expenditure increase as a result of a conviction that results in incarceration in local facilities.

**REVENUE EXPLANATION**

Proposed law may result in an indeterminable increase in Local Funds revenues as a result of potential fines if a person is convicted of registration and election fraud or forgery as a result of submitting an application to vote absentee by mail or attempting to submit an application to vote absentee by mail. The maximum fine for the first offense of this crime is \$2,000 and second or subsequent offense if \$5,000. The number of individuals that may be convicted of this crime is indeterminable.

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}

*Alan M. Boxberger*

**Alan M. Boxberger**  
**Staff Director**