LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB** **265** HLS 21RS 868

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 12, 2021 4:19 PM		**Author:** BRASS
Dept./Agy.: Corrections		
Subject: Unmanned aircraft systems		**Analyst:** Rebecca Robinson

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Provides relative to penalties for unlawful use of an unmanned aircraft system

Proposed law amends the crime of unlawful use of an unmanned aircraft system by providing for increased fines and period of incarceration upon conviction. Proposed law increases the penalty for a first conviction from a maximum fine of $500 to a minimum fine $1,000 and maximum of $5,000, and increases imprisonment from up to six months to imprisonment with or without hard labor for not more than two years. Proposed law increases the penalty for a second or subsequent conviction from a maximum fine of $2,000 to a minimum fine $1,500 and maximum of $20,000, and increases imprisonment with or without hard labor for not less than six months nor more than one year to with or without hard labor for not less than one year and not more than five years.

EXPENDITURES	2021-22	2022-23	2023-24	2024-25	2025-26	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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

REVENUES	2021-22	2022-23	2023-24	2024-25	2025-26	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

There may be an indeterminable increase in SGF expenditures to the Department of Public Safety & Corrections - Corrections Services (DPS&C) to the extent a person is convicted of the unlawful use of an unmanned aircraft system. The exact fiscal impact of this legislation is indeterminable as it is not known how many individuals will be convicted of this crime with the enhanced penalties. However, any offender sentenced to the custody of DPS&C increases SGF expenditures of $26.39 per day per offender in adult local housing and $67.36 per day per offender in a state facility. Any offender convicted of this crime would cost DPS&C $9,632 annually ($26.39 per day per offender x 365 days) per offender in adult local housing and $24,586 annually ($67.36 per day per offender x 365 days) per offender in a state facility.

Under present law, the first conviction of this crime is a misdemeanor and a second and subsequent conviction is a felony. The number of persons convicted of a misdemeanor under present law is unknown as these offenders are not remanded to the custody of DPS&C. There have been no felony convictions under present law as DPS&C reports they have had 0 persons incarcerated for a conviction of the unlawful use of an unmanned aircraft system since the passage of this statute in 2014.

Under the proposed legislation, any conviction under this statute will result in a felony conviction and remand to DPS&C. The shift of these crimes from misdemeanor to felony may result in a reduction in local funds expenditures associated with the potential or realized costs of incarceration by local government entities.

REVENUE EXPLANATION

There will be an indeterminable increase in local funds revenue as a result of potential fines to the extent a person is convicted of the unlawful use of an unmanned aircraft system, with a potential maximum fine of $20,000. The potential revenue will accrue to local government entities.

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}	

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