



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **HB 54** HLS 21RS 577
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 24, 2021	2:50 PM	Author: EDMONDS
Dept./Agy.: Corrections		
Subject: Creates the crime of adoption deception		Analyst: Rebecca Robinson

CRIME EG INCREASE GF EX See Note Page 1 of 1
 Creates the crime of adoption deception

Proposed legislation creates the crime of adoption deception. Penalties include: 1) a fine up to \$500, imprisonment for up to 60 days, or both, if the amount received is \$1,000 or less; 2) a fine up to \$5,000, imprisonment for up to 5 years, or both, if the amount received exceeds \$1,000.

EXPENDITURES	2021-22	2022-23	2023-24	2024-25	2025-26	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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						

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) if a person is convicted of adoption deception and the amount received exceeds \$1,000. The exact fiscal impact of the passage of this legislation is indeterminable, since the legislation creates a new crime and it is not known how many individuals will be convicted of the crime. 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) in adult local housing and \$24,586 annually (\$67.36 per day per offender x 365 days) in a state facility. The maximum time of imprisonment is five years; therefore, the maximum increase to the SGF would be \$48,160 per offender (\$9,632 annually per offender X 5 years) in adult local housing and \$122,930 per offender (\$24,586 annually per offender x 5 years) in a state facility.

There is no direct material affect on the SGF expenditures to DPS&C if a person is convicted of adoption deception and the amount received is \$1,000 or less. This crime is a misdemeanor and therefore these offenders would not be sentenced to DPS&C, but rather to local law enforcement. Local law enforcement agencies may realize an indeterminable increase in expenditures associated with incarceration costs. The cost increase will depend on 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

There may be an indeterminable increase in local funds revenue as a result of potential fines if a person is convicted of this new crime. The maximum fine is \$5,000 and the potential revenue will accrue to the local government entities.

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