



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 265** HLS 21RS 868
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: June 9, 2021	5:00 PM	Author: BRASS
Dept./Agy.: Corrections		Analyst: Rebecca Robinson
Subject: Unmanned aircraft systems		

CRIME EN SEE FISC NOTE GF EX See Note Page 1 of 1
 Provides relative to penalties for unlawful use of an unmanned aircraft system

Present law provides for the unlawful use of an unmanned aircraft system. Proposed law adds "critical infrastructure" and "grain elevators and grain storage facilities" to the definition of a "targeted facility." Present law provides the penalty for the first offense as a fine of not more than \$500, or imprisonment for not more than six months, or both. Proposed law retains present law for a first offense, but provides the penalty for a second or subsequent offense as a fine not less than \$500 and not more than \$4,000, or imprisonment with or without hard labor, for less than six months but not more than two 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 convicted of a second or subsequent offense may be sentenced to the custody of DPS&C; which 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. 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.

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 \$4,000. The potential revenue will accrue to 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