



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 626** HLS 22RS 829
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: March 16, 2022 3:48 PM	Author: ADAMS
Dept./Agy.: Corrections	
Subject: Creates the crime of agg. distribution of controlled	Analyst: Rebecca Robinson

CONTROLLED SUBSTANCES OR INCREASE GF EX See Note Page 1 of 1
 Creates the crime of aggravated distribution of a controlled dangerous substance

Proposed legislation creates the new crime of aggravated distribution of a controlled dangerous substance. Defines controlled dangerous substances subject to the penalties of the statute as: Heroin (Schedule I); Fentanyl (Schedule II); and Carfentanil (Schedule II). Provides for penalties upon conviction.

EXPENDITURES	2022-23	2023-24	2024-25	2025-26	2026-27	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	2022-23	2023-24	2024-25	2025-26	2026-27	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 will be an increase in the expenditures of the Department of Public Safety & Corrections - Corrections Services (DPS&C) to the extent a person is convicted of the aggravated distribution of a controlled dangerous substance. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many individuals will be convicted of the new 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 \$83.23 per day per offender in a state facility. Any offender convicted of these crimes would cost DPS&C \$9,632 annually (\$26.39 per day per offender x 365 days) per offender in adult local housing and \$30,379 annually (\$83.23 per day per offender x 365 days) per offender in a state facility. The maximum period of incarceration is 40 years. The maximum increase to the SGF would be \$385,280 per offender (\$9,632 annually per offender x 40 years) in adult local housing and \$1,215,160 per offender (\$30,379 annually per offender x 40 years) in a state facility.

For illustrative purposes, DPS&C currently has 2,511 offenders in custody for the distribution or possession with intent to distribute narcotics in Schedule I. DPS&C currently has 4,464 offenders in custody for the manufacture, distribution or possession with intent to distribute a controlled dangerous substance in Schedule II.

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 this new crime. The maximum fine is \$50,000 and the potential revenue will accrue to the local governmental 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}

Evan Brasseaux

Evan Brasseaux
 Interim Deputy Fiscal Officer