



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 317** HLS 23RS 568

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 7, 2023	8:07 AM	Author: RISER
Dept./Agy.: Corrections		
Subject: Criminal Access of an Automated Teller Machine		Analyst: Daniel Druilhet

CRIME

OR SEE FISC NOTE GF EX

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Creates the crime of criminal access of an automated teller machine

Proposed law creates the crime of criminal access of an automated teller machine (ATM) and prohibits any person from destroying, damaging, impairing, tampering with, or otherwise rendering inoperable an ATM belonging to another with the intent to steal currency or personal financial information of another, regardless of pecuniary loss.

Proposed law assesses the penalty for the violation of criminal access of an ATM as imprisonment with or without hard labor for no less than five years nor more than ten years. Proposed law makes optional a fine equal to the amount of money contained in the ATM at the time of commission of the offense and any damages that resulted from the offense.

EXPENDITURES	2023-24	2024-25	2025-26	2026-27	2027-28	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						

REVENUES	2023-24	2024-25	2025-26	2026-27	2027-28	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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

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 criminal access of an automated teller machine. The exact fiscal impact of the passage of this legislation is indeterminable, since it creates a new crime, and it is not known how many people will be convicted nor the length of the sentences assessed with those convictions as a result of its potential enactment.

SGF expenditures will increase by \$101.76 per offender per day to the extent that an offender is convicted and then subsequently housed in a state facility or \$26.39 per offender per day for an offender housed in a local facility. An offender sentenced to the custody of the DPSC – CS for one year would increase expenditures by \$37,142.40 (\$101.76 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.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of potential fines for criminal access of an ATM. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because the fines imposed for criminal access of an ATM are optional and equate to the amount of money contained in the ATM at the time of commission of the offense and any damages that result from the offense. Both fines may vary in instances in which offenders are convicted.

Senate	Dual Referral Rules	House	<i>Evan Brasseaux</i>
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	Evan Brasseaux
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	Interim Deputy Fiscal Officer