

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 85** HLS 23RS 498

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 15, 2023	4:11 PM	Author: JOHNSON, MIKE
Dept./Agy.: Corrections		
Subject: Creates Crime of Approaching a Law Enforcement Officer		Analyst: Daniel Druilhet

CRIME/MISDEMEANOR

RE SEE FISC NOTE GF EX See Note

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Creates the crime of approaching a law enforcement officer lawfully engaged in law enforcement duties

Proposed law adds the crime of approaching a law enforcement officer and prohibits any person from knowingly approaching (within twenty-five (25) feet) a law enforcement officer (LEO) engaged in the execution of his official duties after the LEO has ordered the person to stop approaching or retreat. Proposed law assesses the penalty for the violation of approaching a law enforcement officer as imprisonment for no more than 60 days, or a fine of not more than \$500 dollars, or both. Proposed law defines law enforcement officer as any commissioned police officer, sheriff, deputy sheriff, marshal, deputy marshal, correctional officer, probation and parole officer, constable, wildlife enforcement agent, livestock brand inspector, forestry officer or state park warden.

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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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 approaching (within twenty-five (25) feet) a law enforcement officer (LEO) engaged in the execution of his official duties after the LEO has ordered the person to stop approaching or retreat. 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. Since proposed law is a misdemeanor offense, the maximum fiscal impact per offender per offense is \$1,583 for an offender housed in a local facility (\$26.39 per offender per day x 60 days) and \$6,106 for an offender housed in a state facility (\$101.76 per offender per day x 60 days).

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of potential fines for approaching (within twenty-five (25) feet) a law enforcement officer (LEO) engaged in the execution of his official duties after the LEO has ordered the person to stop approaching or retreat. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because the fines that would be imposed on those convicted are optional, and the amount of the fines, if imposed, may vary.

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}

Evan Brasseaux

Evan Brasseaux
Interim Deputy Fiscal Officer