



**LEGISLATIVE FISCAL OFFICE  
Fiscal Note**

Fiscal Note On: **HB 65** HLS 23RS 169  
 Bill Text Version: **ENROLLED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> June 5, 2023	1:37 PM	<b>Author:</b> VILLIO
<b>Dept./Agy.:</b> Corrections		
<b>Subject:</b> Simple Burglary of an Inhabited Dwelling - Crime of		<b>Analyst:</b> Daniel Druilhet

CRIME EN INCREASE GF EX See Note Page 1 of 1  
 Designates the crime of burglary of an inhabited dwelling as a crime of violence

Current law provides an enumerated list of crimes considered crimes of violence.

Proposed law amends current law to add simple burglary of an inhabited dwelling when a person is present in the dwelling, house, apartment, or other structure as a crime of violence.

EXPENDITURES	2023-24	2024-25	2025-26	2026-27	2027-28	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	\$0	\$0	\$0	\$0	\$0	\$0
<b>Annual Total</b>						
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	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law will likely 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 simple burglary of an inhabited dwelling when a person is present in the dwelling, house, apartment, or other structure.

*Note: The Legislative Fiscal Office (LFO) presumes that the intent of proposed law is to re-designate current law (La. R.S. 14:62.2) as a crime of violence with conditions imposed (physical presence in a dwelling, house, apartment, or other structure), though proposed law is not currently defined in the Louisiana Revised Statutes as a crime and does not have any associated sentence of imprisonment. For purposes of fiscal analysis, a review of the sentence associated with current law was used.*

Proposed law increases the time that an offender convicted of simple burglary of an inhabited dwelling will serve before parole eligibility. Current law assesses a sentence of imprisonment of no less than one year nor more than 12 years for an offender convicted of simple burglary of an inhabited dwelling, as it is not currently listed as a crime of violence. Without being classified as a crime of violence, offenders convicted of simple burglary of an inhabited dwelling would be required to serve at least 25% of the sentence being imposed before being eligible for parole. Proposed law would classify simple burglary of an inhabited dwelling as a crime of violence, which requires offenders to serve 65% of the imposed sentence before parole eligibility. This will likely result in offenders spending more time in custody and increasing SGF expenditures for DPS & C – CS. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many people will be convicted or the length of sentences imposed on those who are convicted as a result of this change to present law.

SGF expenditures will increase by \$101.76 per offender per day to the extent that an offender is convicted and then 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**

There will be an indeterminable decrease in self-generated revenue to DPS&C – Probation and Parole to the extent any offender remains in custody longer and is not eligible or released on parole until a later date pursuant to proposed law. The current daily parole supervision rate for adult offenders is \$5.60 per day, which would result in an annual loss of \$2,044 (\$5.60 x 365) in parole supervision SGR.

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*  
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**Evan Brasseaux**  
 Interim Deputy Fiscal Officer