

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 669** HLS 24RS 570
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: March 8, 2024	2:38 PM	Author: BOYD
Dept./Agy.: Courts		
Subject: Judicial Security - Limited Access to Personal Information		Analyst: Daniel Druilhet

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 Provides relative to judicial security

Proposed law permits a protected individual or the judicial administrator's office on behalf of a protected individual to request a governmental entity or 3rd party to remove a judge's personal information; requires that a request to not publish or remove the protected individual's personal information from any publication be in writing and sent via certified mail or email, and that the request provide sufficient information to confirm that the requester is a protected individual, unless the request is made by the judicial administrator's office; provides procedures for governmental entities and 3rd parties relative to notice and time obligations relative to removal of personal information of protected individuals; provides for injunctive or declaratory relief, together with attorneys' fees, for violations of proposed law by governmental entities or 3rd parties; provides for damages for violation of proposed law by 3rd parties; provides for an award of punitive damages for willful refusal to provide for removal of personal information of a protected individual; provides that a person shall not knowingly publish the personal information of a protected individual if he knows or reasonably should know that publishing the personal information poses an imminent and serious threat to the protected individual; provides that persons who violate proposed law are guilty of a misdemeanor and are subject to imprisonment not exceeding 18 months or a fine of no more than \$5,000, or both.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	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	2024-25	2025-26	2026-27	2027-28	2028-29	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 Local Funds expenditures for local governing authorities if a person is convicted of knowingly publishing the personal information of a protected individual with knowledge or reasonable knowledge that publishing the personal information poses an imminent and serious threat to the protected individual. The exact fiscal impact of the passage of this legislation to local governing authorities is indeterminable, since it creates a crime, and it is not known how many people will be convicted and incarcerated in local facilities, nor the length of the sentences assessed with those convictions as a result of its potential enactment. The maximum imprisonment term at the local level is no more than 18 months.

There is no anticipated direct material effect on state governmental expenditures as a result of this measure because this legislation creates a misdemeanor offense; therefore, these offenders are not sentenced to the Department of Public Safety & Corrections - Corrections Services (DPS&C - CS).

Proposed law may also result in an increase in Local Funds and SGF expenditures in governmental entities, to the extent that they fail to comply with notice and time obligations and are subsequently ordered to pay damages and attorney's fees relative to litigation associated with failure to remove personal information of protected individuals. Proposed law includes executive agencies, and any parish, local, or municipal governing body, regulatory body, or entity within the judicial or legislative branch. The exact fiscal impact of the proposed law is indeterminable, as the number of violations and the amount of corresponding litigation that may arise as a result of its enactment is unknown.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of knowingly publishing the personal information of a protected individual with knowledge or reasonable knowledge that publishing the personal information poses an imminent and serious threat to the protected individual. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because fines that would be imposed on those convicted are optional and variable in nature. The potential revenue will accrue to the local governing authority.

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> |
| <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} | |
| <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} | |


Patrice Thomas
Deputy Fiscal Officer