

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 377** SLS 24RS 565
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: March 17, 2024 1:21 PM	Author: KLEINPETER
Dept./Agy.: Corrections	Analyst: Daniel Druilhet
Subject: Possession of Firearms and Ammunition by Certain Felons	

WEAPONS OR INCREASE GF EX See Note Page 1 of 1
 Prohibits possession of firearms, ammunition, or electric weapons or devices by certain felons. (8/1/24)

Current law makes it unlawful for any person who has been convicted of, or has been found not guilty by reason of insanity for, a crime of violence, which is a felony, or a delineated list of other crimes including, but not limited to, simple burglary, burglary of a pharmacy, burglary of an inhabited dwelling, unauthorized entry of an inhabited dwelling, felony use of weapons or dangerous instrumentalities, or any violation of the Uniform Controlled Dangerous Substances Law, or an attempt to commit any of the list of crimes included within current law, to possess a firearm or carry a concealed weapon. Proposed law removes burglary of a pharmacy from the list of crimes for which those convicted cannot possess a firearm or carry a concealed weapon; adds any person who committed a felony-grade delinquent act while in possession of a firearm, if adjudicated when the person was 15 or 16 years of age and under 21 years of age at the time of violation, to the list of those persons for whom it is unlawful to possess a firearm or carry a concealed weapon; mandates that the prohibition against possession of firearms or concealed weapons by those convicted of certain felonies does not apply to a person hunting pursuant to a valid license issued to him by the state with a firearm lawful for hunting pursuant to regulations established by the Department of Wildlife and Fisheries, federal law, and any applicable local parish ordinance.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	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
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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety & Corrections-Corrections Services, to the extent that it adds those adjudicated at the age of 15 or 16 of felony-grade delinquent crimes of violence while in possession of a firearm (and those persons are under the age of 22 at the time the offenses were committed) to the list of offenders for whom it is unlawful to possess a firearm or carry a concealed weapon. While the proposed law does not enhance criminal penalties for those convicted of its violation, it has the effect of adding an additional class of offenders for whom it is illegal to possess a firearm or carry a concealed weapon. The exact fiscal impact of the passage of this legislation is indeterminable, because it is not known how many people will be convicted and subject to a sentence of imprisonment as a result of its potential enactment.

SGF expenditures will increase by \$107.60 per offender per day to the extent that an offender is convicted, sentenced, and then subsequently housed in a state facility or \$26.39 per offender per day for an offender housed in a local facility. Corrections Services reports that impacts on offender populations are anticipated to affect the number of offenders held in local facilities. Corrections Services reports that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities.

For informational purposes, the Office of Juvenile Justice reports that there are at least 166 juveniles currently within secure and nonsecure custody that have been adjudicated of felony-grade delinquent crimes of violence involving the use of a firearm. Assuming that additional offenders would be housed at the local level, annual expenditures would begin to exceed \$100,000 with the admission of 11 offenders convicted of possession of a firearm by certain felons each year.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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}

Patrice Thomas
Deputy Fiscal Officer