



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **HB 62** HLS 24RS 229
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: March 17, 2024 1:54 PM	Author: MCCORMICK
Dept./Agy.: Department of Public Safety	
Subject: Provides relative to enforcement of federal firearm laws.	Analyst: John McKay

WEAPONS/FIREARMS OR SEE FISC NOTE LF EX Page 1 of 1
 Provides relative to enforcement of federal firearm laws

Proposed law creates the "Second Amendment Preservation Act" which prohibits the enforcement any federal acts, executive orders, administrative orders, rules, regulations, statutes, or ordinances within the State of Louisiana that infringe on the rights of law-abiding citizens to keep and bear arms. Proposed law provides that any political subdivision or law enforcement agency that employs a law enforcement officer who knowingly violates the provisions of proposed law while acting under the color of any state or federal law, shall be civilly liable with to the injured party and subject to a civil penalty of \$50,000 per occurrence. Proposed law provides that sovereign, official, or qualified immunity shall not be an affirmative defense in such cases.

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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety, Office of State Police as well as an indeterminable increase in local expenditures within local law enforcement agencies. The proposed law enacts the Second Amendment Preservation Act, which prohibits and penalizes enforcement of certain Federal acts, executive orders, administrative orders, rules, statutes, ordinances, and regulations related to firearms by law enforcement officers within the state. To the extent a law enforcement officer violates proposed law, the agency that employs the officer shall be civilly liable and subject to a \$50,000 penalty per occurrence plus attorney fees and court costs. Also, an agency shall be subject to a \$50,000 penalty per employee hired if it knowingly employs an individual who has previously violated proposed law. The exact fiscal impact of the passage of this legislation is indeterminable, because it is not known how many officers will violate the provisions of the proposed law and be subjected to a civil penalty as a result of its potential enactment.

Department of Public Safety and Corrections, Public Safety Services (DPS), Office of State Police and Local Sheriff's Offices and Municipal Police Departments - Proposed law would require the LA State Police, local Sheriff Offices, and Municipal Police Departments to update the current curriculum for training new and existing law enforcement officers. The costs of these updates are indeterminable. In addition, proposed law may negatively impact the ability to recruit new officers and increase current staffing challenges as a result of potential and existing law enforcement officers who may decide not to serve in Louisiana.

REVENUE EXPLANATION

Proposed law is silent on which agency would collect as revenue the imposition of a civil penalty on any political subdivision or law enforcement agency for violating the provisions of the proposed law. While the proposed law does not otherwise directly impact state or local governmental expenditures, this measure may impact the LA State Police's and local law enforcement agencies' ability to receive Federal grant awards. Currently, State Police has \$15 M in Federal Funds from direct or pass-through federal grant awards.

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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