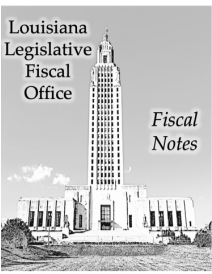


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 105** SLS 24RS 196
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: March 21, 2024 8:52 AM **Author:** SEABAUGH
Dept./Agy.: Corrections and Sheriffs **Analyst:** Daniel Druilhet
Subject: Carrying a Concealed Weapon by Convicted Felons

CRIME/PUNISHMENT EG INCREASE GF EX See Note Page 1 of 1

Provides relative to the crime of possession of or carrying a concealed weapon by a person convicted of certain felonies. (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 or an attempt to commit any of the list of crimes included within current law to possess or carry a concealed weapon; assesses a sentence of imprisonment for no less than 5 nor more than 20 years at hard labor, without the benefit of parole, probation, or suspension of sentence and a fine no less than \$1,000 nor more than \$5,000, for certain felony offenders convicted of unlawful carrying of a concealed weapon; assesses a sentence of imprisonment of no more than 7.5 years and a fine of no less than \$500 nor more than \$5,000 for those convicted of attempted possession or carrying a concealed weapon by a person convicted of certain felonies. Proposed law changes sentencing for those who attempt to violate current law to no less than 1 year nor more than 7.5 years; increases the fine for those who attempt to violate proposed law to no less than \$1,000 nor more than \$5,000; adds that it shall be a crime of violence if an offender possesses a firearm or carries a concealed weapon during the commission of a crime of violence or possesses a firearm or carries or concealed weapon after having been convicted of crime of violence.

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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	

Annual Total

EXPENDITURE EXPLANATION

Proposed law will likely result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPS&C – CS) if a person is convicted of possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies. While the proposed law does not enhance penalties for potential offenders, it mandates that no less than one year of a sentence of imprisonment be imposed for its violation and makes it a crime of violence if an offender possesses a firearm or carries a concealed weapon during the commission of a crime of violence or possesses a firearm or carries a concealed weapon after having been convicted of crime of violence. 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, nor the length of sentences assessed with those convictions as a result of its potential enactment.

For illustrative purposes, 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.

REVENUE EXPLANATION

Proposed law will likely result in an indeterminable increase in local revenues as a result of convictions of attempted possession of a firearm by convicted felons, as it doubles the minimum mandatory fine imposed. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because the amount of the fines imposed on those convicted may vary. The potential revenue will accrue to the local governing authority.

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