

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 202** HLS 24RS 644
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 8, 2024	10:45 AM	Author: CARVER
Dept./Agy.: Corrections/Sheriffs		
Subject: Crime - Theft of USPS Mail		Analyst: Daniel Druilhet

CRIME/THEFT EN SEE FISC NOTE LF EX See Note Page 1 of 1
 Creates the crime of theft of USPS mail

Proposed law creates the crime of theft of USPS mail and theft or unauthorized reproduction of a mail receptacle key or lock and provides definitions for both. Proposed law assesses penalties for violation of theft of USPS mail and theft or unauthorized reproduction of a mail receptacle key or lock as imprisonment for not more than 5 years, with or without hard labor, a fine of no more than \$5,000, or both; upon a second or subsequent conviction, imprisonment for no less than 1 year nor more than 10 years, with or without hard labor, along with a possible fine of no more than \$20,000; mandatory full restitution to the victim and any other person who has suffered a financial loss as a result of the offender.

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 SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPSC – CS) or an increase in Local Funds expenditures if a person is convicted of theft of USPS mail and theft or unauthorized reproduction of a mail receptacle key or lock. The exact fiscal impact of the passage of this legislation is indeterminable, since it creates a new crime, and it is not known how many people will be convicted 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 10 years. Proposed law (on first or subsequent conviction) is a relative felony, and any impact on either local or state expenditures is contingent on whether offenders sustain either misdemeanor or felony-grade convictions.

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPS&C – CS), if a person receives a first or subsequent felony conviction for theft of USPS mail and theft or unauthorized reproduction of a mail receptacle or key lock. DPS&C-CS advises that impacts on offender populations are anticipated to impact the number of offenders held in local facilities, and that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities. For those convicted, sentenced, and then subsequently housed in a local facility, DPS&C-CS will sustain expenditures of \$26.39 per offender per day. 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.

To the extent that an offender sustains a first or subsequent misdemeanor conviction for violation of the proposed law, local governing authorities may sustain an increase in Local Funds expenditures. The exact fiscal impact of the passage of this legislation to local governing authorities is indeterminable, since 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 is no more than 10 years at the local level.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of theft of USPS mail and theft or unauthorized reproduction of a mail receptacle key or lock. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable, as the fines that would be imposed on those convicted are variable in nature, and the number of fines that will be imposed on offenders convicted of proposed law is unknown. 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