



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **HB 451** HLS 24RS 985
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 21, 2024	8:55 AM	Author: SCHLEGEL
Dept./Agy.: Corrections/Sheriffs		Analyst: Daniel Druilhet
Subject: Crime of Theft of Package, Assault of Employee During Theft		

CRIME/THEFT EN SEE FISC NOTE GF EX Page 1 of 1
 Provides relative to the crime of theft

Current law provides the definitions for the crime of theft and applicable penal measures associated with each definition. Proposed law adds to current law by providing a sentence of imprisonment for no more than two years, with or without hard labor, or a fine of no more than \$2,000, or both, for an offender who commits the crime of theft of a package that has been delivered to an inhabited dwelling owned by another; provides that 15 days of any sentence of imprisonment for the crime of theft that involves an offender who, during the commission or attempted commission of theft, commits an assault upon a store or merchant's employee who is acting in the course and scope of his employment duties, be served without benefit of probation or suspension of sentence.

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 or SGF expenditures to the Department of Public Safety & Corrections - Corrections Services (DPS&C-CS) if a person is convicted of the crime of theft of a package that has been delivered to an inhabited dwelling owned by another. Proposed law has the effect of expanding penal measures relative to the crime of theft, and imposes a mandatory 15 days of imprisonment for theft which involves committing an assault upon a store or merchant's employee who is acting in the course and scope of his employment duties. Proposed law 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 for its violation.


Proposed law may result in an indeterminable increase in SGF expenditures in DPS&C-CS by \$107.60 per offender per day for an offender housed in a state facility, and \$26.39 per offender per day for an offender housed in a local facility. To the extent that offenders sustain a felony-grade conviction for violation of the proposed law, DPS&C-CS will sustain an indeterminable increase in expenditures at the local level. 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.

To the extent that offenders sustain a misdemeanor conviction for violation of the proposed law, local governing authorities may sustain 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 two 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 a package that has been delivered to an inhabited dwelling owned by another. 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 may 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