



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **HB 128** HLS 24RS 25
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 22, 2024	9:55 AM	Author: FONTENOT
Dept./Agy.: Corrections		Analyst: Daniel Druilhet
Subject: Possession of a Firearm by a Felon		

WEAPONS/FIREARMS EN INCREASE GF EX See Note Page 1 of 1
 Provides relative to possession of a firearm by a felon

Current law provides that whoever is convicted of possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies shall be imprisoned at hard labor for no less than five nor more than 20 years without the benefit of probation, parole, or suspension of sentence and fined not less than \$1,000 nor more than \$5,000; provides that those convicted of attempted possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies shall be assessed a penalty of imprisonment at hard labor for not more than seven and half years and a fine of not less than \$500. Proposed law amends current law to provide that if an offender is convicted of current law while on probation or parole, the sentence shall be served consecutively with the remaining balance of any sentence to be served for a prior conviction of any offense.

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.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
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

EXPENDITURE EXPLANATION

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 is convicted of possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies. Proposed law has the effect of mandating that any offender possessing a firearm or carrying a concealed weapon as a convicted felon while on probation or on parole be required to return to DPS&C-CS to serve the remainder of the sentence for which he was granted parole, and thereafter serve the sentence imposed for violation of current law. The exact fiscal impact of the passage of this legislation is indeterminable, because it is not known how many people will be convicted and required to serve a sentence consecutive to the remaining balance of any sentence to be served for a prior conviction of any offense for possessing a firearm or carrying a concealed weapon as a convicted felon while on probation or parole.

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.

For informational purposes, DPS&C reports that there have been an average of 2,137 admissions in the past three years with an average sentence length of 5.6 years for those convicted of possession of a firearm or carrying concealed weapons by a person convicted of certain felonies. With the enactment of proposed law, offenders would be required to serve a sentence consecutive to the remaining balance of any sentence to be served for a prior conviction of any offense for possessing a firearm or carrying a concealed weapon as a convicted felon while on probation or parole.


Currently, there are 47,208 people currently under supervision with probation and parole with the Department of Public Safety & Corrections, 4,217 of which were charged and convicted of illegal possession of a firearm or carrying of a concealed weapon by a felon (or an attempted modifier) in conjunction with another crime.

REVENUE EXPLANATION

There may be an indeterminable decrease in self-generated revenue to DPS&C – Probation and Parole, to the extent any offender returns to complete a sentence for which he was previously granted parole with a violation of the proposed law. The current daily parole supervision rate for adult offenders is \$5.43 per day, which would result in an annual loss of \$1,981.95 (\$5.43 x 365 = \$1,981.95) in parole supervision SGR for any additional time that offenders would be incarcerated where they previously would potentially be eligible for and granted parole under current law.

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