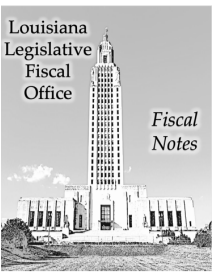


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 111** HLS 25RS 73
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 7, 2025 6:08 PM	Author: VILLIO
Dept./Agy.: Corrections and Sheriffs	
Subject: Unlawful Presence of Certain Sex Offenders	Analyst: Daniel Druilhet

CRIME/SEX OFFENSES OR SEE FISC NOTE LF EX Page 1 of 1
 Provides relative to the unlawful presence of certain sex offenders

Current law provides for the crime of unlawful presence of certain sex offenders and for acts and locations that constitute the unlawful presence of a sexually violent predator and the unlawful presence of a sex offender; assesses a sentence of imprisonment for no more than six months, or a fine of no more than \$1,000, or both, for those convicted. Proposed law adds loitering between the hours of 6:00 a.m. and 9:00 a.m. or 2:00 p.m. and 5:00 p.m. within 1,000 feet of a location commonly used for the pickup or drop off of children for school or a school-related activity when a child or children are present, and the offender has reasonable grounds to believe that a child or children are awaiting pickup or drop off from school or a school-related activity as circumstances under which an offender can be prosecuted for unlawful presence of certain sex offenders or unlawful presence of a sexually violent predator.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	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	2025-26	2026-27	2027-28	2028-29	2029-30	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 & Corrections - Corrections Services (DPS&C-CS), to the extent that an offender sustains a conviction for unlawful presence of certain sex offenders. While the proposed law does not enhance penalties for potential offenders, it adds specific circumstances under which offenders can be prosecuted under current law. The exact fiscal impact to DPS&C-CS is indeterminable, as it is unknown the number of instances in which the new circumstances under which offenders can be prosecuted will be invoked. Proposed law (unlawful presence of certain sex offenders) is a relative felony, and any impact on either state or local expenditures is contingent on whether offenders sustain either a misdemeanor or felony-grade convictions for its violation. Proposed law (unlawful presence of a sexually violent predator) is a misdemeanor.


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. For those convicted, sentenced, and then subsequently housed in a state facility, DPS&C-CS will sustain expenditures of \$107.60 per offender per day. For those housed in local facilities, DPS&C-CS will sustain expenditures of \$26.39 per offender per day. 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.

To the extent that offenders sustain a misdemeanor conviction for violation of the proposed law, local governing authorities will 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 for unlawful presence of certain sex offenders is no more than one year. The maximum imprisonment term for unlawful presence of a sexually violent predator is no more than six months.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of unlawful presence of a sexually violent predator and the unlawful presence of a sex offender. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because the fines that would be imposed on those convicted are optional, and the amount of the fines, if imposed, may vary. 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