

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 264** HLS 26RS 807

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 23, 2026 6:58 PM	Author: GLORIOSO
Dept./Agy.: Corrections, Sheriffs, and LCLE	Analyst: Daniel Druilhet
Subject: Operating a Vehicle While Intoxicated	

DWI OR NO IMPACT See Note Page 1 of 1
Provides relative to operating a vehicle while intoxicated

Proposed law provides that notwithstanding law to the contrary, a person arrested for an operating-while-impaired offense shall not be released from custody by bond, personal recognizance, summons, citation, jail release, or otherwise unless the custodial agency issues a safe-release clearance; provides for rules governing the issuance of a safe-release clearance; provides for procedural requirements after issuance of a safe-release clearance; provides for procedures governing release or storage of vehicles used by persons arrested for an operating while impaired; provides for rules governing requirements of arresting agency to take custody of the ignition key or other device used to operate the vehicle; provides for exemption from civil liability (except for instances of gross negligence) for a law enforcement agency or other entity acting under direction of a public agency, or rental dealer acting in reliance on a safe-release clearance or in good faith compliance with the proposed law; provides that the Department of Public Safety and Corrections, the Sheriffs' Association and Commission on Law Enforcement may adopt standards, policies, and guidance to implement criteria for "medically sober" determinations, procedures for breath testing, model safe-release clearance forms, model rental dealer notice forms and electronic transmission methods.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2026-27	2027-28	2028-29	2029-30	2030-31	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

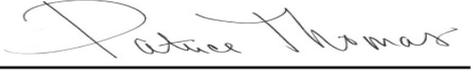
The proposed law provides for procedures governing safe-release clearance criteria for persons arrested for operating vehicles while impaired. Notwithstanding instances in which agencies may be held liable for civil damages for acting with gross negligence by failing to act in good faith to comply with safe-release criteria and guidelines, the proposed law does not contemplate any potential expenditure impact to any state or local agency. While the proposed law may result in an indeterminable increase in workload to Sheriffs in local jails by placing individuals (arrested for operating vehicles while impaired) in custody for a longer period of time until medically sober prior to being granted a safe-release clearance, there is nothing to suggest that the degree of workload will increase such that any substantial impact to expenditures will occur.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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