

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 46** SLS 26RS 266
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 11, 2026 6:23 PM	Author: REESE
Dept./Agy.: Corrections and Sheriffs	
Subject: Unlawful Operation of a Group Home	Analyst: Daniel Druilhet

CRIME/PUNISHMENT EN SEE FISC NOTE GF EX Page 1 of 2
 Creates the crime of unlawful operation of a group home. (8/1/26)

Proposed law creates the crime of unlawful operation of a group home; provides that it is unlawful for any person or entity to operate an unlicensed group home; assesses a sentence of imprisonment for no more than 6 months or a fine of no more than \$1,000, or both, if conditions in an unlicensed group home would not lead to unjustifiable pain or suffering; assesses a sentence of imprisonment, with or without hard labor, for no more than 10 years (with at least one year of the sentence imposed to be served without the benefit of parole, probation, or suspension of sentence), or a fine of no more than \$10,000, or both, if conditions in the unlicensed group home would likely lead to or actually caused unjustifiable pain, malnourishment, or suffering while a resident in the home; assesses a sentence of imprisonment at hard labor for no less than 5 years nor more than 40 years (with at least three years of the sentence to be served without benefit of probation or suspension of sentence) if conditions in the unlicensed group home contributed to a resident's death.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	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	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	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, and an indeterminable increase in Local expenditures for local governing authorities, to the extent that a person is convicted of unlawful operation of a group home.

Unlawful Operation of a Group Home

Proposed law may result in an indeterminable increase in Local Funds expenditures for local governing authorities if a person is convicted of unlawful operation of a group home. Proposed law, unlawful operation of a group home, is a misdemeanor. The exact fiscal impact 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 at the local level is not more than six months.

Unlawful Operation of a Group Home - Conditions Leading to or Actually Causing Unjustifiable Pain, Malnourishment, or Suffering

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 unlawfully operating a group home, if conditions in the unlicensed group home would likely lead to or actually cause unjustifiable pain, malnourishment, or suffering while a resident in the home. Proposed law is a relative felony, and any impact on either state or local expenditures is contingent on whether offenders sustain either misdemeanor or felony-grade convictions for its violation. The exact fiscal impact to DPS&C-CS is indeterminable, as it is unknown how many people will be convicted or the length of the sentences assessed with those convictions as a result of its potential enactment. The maximum imprisonment term for unlawfully operating a group home, if conditions in the unlicensed group home would likely lead to or actually cause unjustifiable pain, malnourishment, or suffering while a resident in the home, is no more than ten years.

[CONTINUED ON PAGE 2]

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of convicted of unlawful operation of a group home. 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 optional, and the amount of fines, if imposed, may vary. The potential revenue will accrue to the local governing authority.

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



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CONTINUED EXPLANATION from page one:

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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 \$29.39 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.

Unlawful Operation of a Group Home - Conditions Contributing to a Resident's Death

Proposed law, unlawfully operating a group home, if conditions in the unlicensed group home contributed to a resident's death, may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections - Corrections Services. Proposed law is a felony. The maximum imprisonment term for unlawfully operating a group home, if conditions in the unlicensed group home contributed to a resident's death, is no more than forty years. 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 \$29.39 per offender per day.

Senate
Dual Referral Rules
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