

LEGISLATIVE FISCAL OFFICE

Fiscal Note



Fiscal Note On: **HB 11** HLS 051ES 102
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Sub. Bill For.:
 Proposed Amd.:

Date: November 29, 2005 9:35 AM	Author: SMILEY
Dept./Agy.: Department of Public Safety	Analyst: Jay Eckert
Subject: "Certificate of Destruction"	

MTR VEHICLE/REGISTRATION EN SEE FISC NOTE GF EX See Note Page 1 of 1
 Provides for disposal of water damaged vehicles (Item #13)

Proposed legislation provides a definition for "water-damaged vehicle" and "certificate of destruction".

Proposed legislation adds certificate of destruction to the disclosure of transfer of ownership in vehicles with salvaged or reconstructed titles in present law. Legislation sets application requirements, restriction on sale, disassembly requirements, department rules, and penalties in cases involving a certificate of destruction.

Proposed legislation provides that anyone who violates this provision shall be guilty of a misdemeanor and fined not less than \$500 nor more than \$5,000 or imprisoned for not more than 6 months. In addition, a violator shall be sentenced to not less than 80 hours of community service.

Effective upon signature by the governor.

EXPENDITURES	<u>2005-06</u>	<u>2006-07</u>	<u>2007-08</u>	<u>2008-09</u>	<u>2009-10</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	SEE BELOW	\$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	\$0	\$0	\$0	\$0	\$0	\$0
REVENUES	<u>2005-06</u>	<u>2006-07</u>	<u>2007-08</u>	<u>2008-09</u>	<u>2009-10</u>	<u>5 -YEAR TOTAL</u>
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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The Department of Public Safety notes that proposed legislation will require 80 hours of overtime for data processing at a rate of \$32 an hour to modify transactions and create a "Certificate of Destruction" form (80 hours * \$32/hour = \$2,560).

Public Safety indicates the overtime will be paid utilizing existing resources.

Further, this legislation provides for jail time for persons who violate sections of this law. Jail time awarded by the court system for violations of this law will be served in parish facilities because the length and terms of sentencing do not meet the criteria for an offender to be remanded to La. Department of Corrections. This means that the locality will have to bear the cost of incarcerating an offender. As a measure of cost, the state provides \$22.39 to local sheriffs to house state prisoners so it may be assumed that housing a local prisoner could cost a like amount. This cost to local government cannot be calculated because at present time, it is unknown how the court system would sentence offenders.

REVENUE EXPLANATION

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

Persons found guilty of violating any provision of this legislation are subject to criminal penalties. The fine would be not less than \$500 nor more than \$5,000. To the extent that this would occur, revenue to local governmental entities would increase.

Senate Dual Referral Rules

13.5.1 >= \$500,000 Annual Fiscal Cost

13.5.2 >= \$500,000 Annual Tax or Fee Change

House

6.8(F) >= \$500,000 Annual Fiscal Cost

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

Robert E. Hosse
LFO Staff Director