

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 256** HLS 14RS 1000
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: March 4, 2014 12:17 PM	Author: ARMES
Dept./Agy.: Corrections	Analyst: Stephanie C. Blanchard
Subject: Crime	

CRIME/BATTERY OR INCREASE GF EX See Note Page 1 of 1
 Creates the crime of battery of emergency room personnel, emergency services personnel, or a healthcare professional

Proposed law creates the crime of battery of emergency room personnel, emergency services personnel, or a healthcare professional. Defines the offense and provides definitions. Provides for the following penalties: (1) A fine of not more than \$1,000, imprisonment for not less than 15 days nor more than six months, or both. (2) If the battery produces an injury which requires medical attention - A fine of not more than \$5,000, imprisonment with or without hard labor for not less than one year nor more than five years, or both.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						
REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	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

The proposed legislation may result in an indeterminable increase in state general fund expenditures if a defendant is convicted of battery of an emergency room personnel, emergency services personnel, or a healthcare professional which requires medical attention. The exact fiscal impact of the passage of this legislation is indeterminable, since the legislation creates a new crime and it is not known how many people will be convicted of this crime. However, any offender sentenced to the custody of the Department of Public Safety and Corrections increases expenditures by \$24.39 per day per offender in local facilities.

To the extent a defendant is convicted of this crime and assuming these offenders would be housed at the local level, it would cost the state be \$8,902 (1 offender x \$24.39 per day x 365 days).

To the extent that offenders are housed in state facilities, the cost per day, per offender is \$52.51.

The proposed legislation is a misdemeanor if the battery does not require medical attention; therefore, these offenders are not sentenced to the Department of Public Safety and Corrections. Local law enforcement agencies may realize an indeterminable increase in expenditures associated with prison costs. The cost increase will depend on the number of persons convicted, the minimum sentence an offender serves, and the cost per day for a local law enforcement agency to incarcerate an offender.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure. Any revenue generated through the imposition of fines created by this legislation would accrue to local government entities.

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| Senate | <u>Dual Referral Rules</u> | House | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Red. {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} |

Evan Brasseaux
Evan Brasseaux
Staff Director