

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 168** HLS 14RS 801

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> March 13, 2014 2:00 PM	<b>Author:</b> HOFFMANN
<b>Dept./Agy.:</b> Division of Administration (DOA)	<b>Analyst:</b> Travis McIlwain
<b>Subject:</b> Prohibition of outdoor smoking within 25 feet of state blgs.	

HEALTH/SMOKING

OR SEE FISC NOTE GF EX

Page 1 of 1

Prohibits outdoor smoking within 25 feet of certain exterior locations of state office buildings

Proposed legislation prohibits smoking in any outdoor areas in the following locations: proximate to a state office building that within 25 feet of an entrance of the building to which access by the public is not restricted and/or 25 feet of a wheelchair ramp or other structure utilized by persons with disabilities. Proposed legislation provides for any person guilty of a violation of the smoking prohibition shall be subject to the fees and fines contained in existing law (R.S. 40:1300.262). Current law provides for first offender fine of \$25, second offender fine of \$50 and third offender fine of \$100.

<b>EXPENDITURES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

Although not specifically required in the proposed legislation, any state costs associated with this measure may be related to fabricating and installing signs indicating the prohibition of smoking at the state buildings. According to the DOA, the Office of State Building Facilities (OSB) Manual currently includes the prohibition of smoking within 30 feet of any entrance. In addition, there are 15 of 28 state buildings under the purview of the OSB that currently have signs indicating the prohibition of smoking within 30 feet of the entrance/exit. To the extent this bill is enacted, DOA anticipates changing the current signs to 25 feet and to add signs to all other OSB buildings. There are 13 state buildings without signs. DOA anticipates the costs to erect a sign to be \$200/sign.

Note: Act 211 of the 2013 legislative session required public post secondary education institutions to develop smoke-free policies for its campuses. Public postsecondary institutions currently have smoke free policies for their campuses.

**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 governmental entities.

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|---|--|--------------------------------|--|
| <input type="checkbox"/> Senate   | <input type="checkbox"/> Dual Referral Rules | <input type="checkbox"/> 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. Reduc. {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**