

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 897** HLS 14RS 1123

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 20, 2014 3:18 PM	Author: BILLIOT
Dept./Agy.: Corrections	Analyst: Stephanie C. Blanchard
Subject: Crime	

CRIME/BATTERY

OR INCREASE LF EX See Note

Page 1 of 1

Creates the crime of battery of emergency services personnel and amends the crime of obstructing a fireman relative to emergency services personnel

Proposed law creates the crime of battery of emergency services personnel. Provides for the following penalties for commission of the offense: (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. Present law provides for the crime of obstruction of a fireman. Proposed law retains present law definition as it relates to firefighters, but amends the definition for both battery of emergency services personnel and obstructing a fireman to apply to all persons defined by present law.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	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	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 the new crime of battery of emergency services personnel and amends the crime of obstructing a fireman relative to emergency personnel services. Although proposed law creates a new crime and amends a current crime, most convictions for these crimes provide for a maximum of 6 months in jail and are therefore, misdemeanors. 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.

To the extent an offender is sentenced to the custody of the Department of Public Safety and Corrections expenditures would increase by \$24.39 per day per offender in local facilities.

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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|---|----------------------------|--------------|--|
| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> | <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