

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 1077** HLS 14RS 1993

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.: **HB 1027**

Date: April 7, 2014	9:51 AM	Author: LEBAS
Dept./Agy.: Corrections		Analyst: Stephanie C. Blanchard
Subject: Crime		

CRIME/BATTERY

EG INCREASE LF EX See Note

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Provides with respect to criminal offenses relative to certain medical personnel and emergency services personnel

Proposed law creates the crime of battery of emergency services personnel, emergency room services personnel, or a healthcare professional. 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. At least 48 hours shall be served without benefit of suspension of sentence. (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. At least five days of the sentence shall be without benefit of suspension of sentence. 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 to apply to all persons defined by present law as "emergency medical services personnel" or "emergency medical services practitioners".

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						SEE BELOW

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, emergency room services personnel, or a healthcare professional or of the crime of obstructing a fireman relative to emergency medical services personnel or practitioners. 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 a local facility or \$52.51 per day per offender in a state facility.

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
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