

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 187** SLS 14RS 232

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

| | | |
|---|---------|--|
| Date: May 20, 2014 | 8:50 AM | Author: KOSTELKA |
| Dept./Agy.: Corrections | | Analyst: Stephanie C. Blanchard |
| Subject: Enhanced sentencing for drug offenses | | |

CRIME/PUNISHMENT

EN SEE FISC NOTE GF EX See Note

Page 1 of 1

Allows enhanced sentencing for drug offenses committed in a private residence located in a drug free zone. (gov sig)

Present law provides enhanced sentencing for certain violations of present law (Uniform Controlled Substances Law) that occur in drug free zones provided for in present law. Proposed law retains present law. Provides that enhanced sentencing provisions of present law do not apply to violations that occur entirely within a private residence when no person 17 years of age or under was present. Proposed law repeals present law so as to allow enhanced sentencing for violations of the Uniform Controlled Dangerous Substances Law that occur within a private residence that is located in a drug free zone.

| 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 | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| 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 has enhanced sentencing violations of the Controlled Dangerous Substances Law when the crime occurs within a private residence that is located in a drug free zone. 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 individuals will be convicted of the 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. Therefore, for any offender convicted of this crime, it would cost the state \$8,902 annually (1 offender x \$24.39 per day x 365 days).

To the extent that offenders are sentenced and housed in state facilities, the cost per day per offender is \$52.51. Therefore, for any offender convicted of this crime, it would cost the state \$19,167 annually (1 offender x \$52.51 per day x 365 days).

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.

- | | | | |
|---|----------------------------|--------------|--|
| <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