



**OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note**

Fiscal Note On: **HB 940** HLS 14RS 1310
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action: **w/ CONF COMM AMD**
 Proposed Amd.:
 Sub. Bill For.:

Date: May 30, 2014 3:33 PM	Author: ABRAMSON
Dept./Agy.: City of New Orleans, Certain Parishes	
Subject: Violations of Sanitation and Litter Ordinances	Analyst: Becky Ewing

ADMINISTRATIVE PROCEDURE REC +\$115,000 LF RV See Note Page 1 of 1
 Provides relative to nuisance ordinances in the city of New Orleans

Purpose of Bill: This bill authorizes the City of New Orleans to adopt a sanitation and litter ordinance and provides for additional administrative adjudication notice and procedures relative to violations of such ordinance.

This bill provides that a person who has received a sanitation ticket may present evidence or testimony to a hearing officer at a scheduled hearing. Failure to appear for the hearing or to present sufficient evidence prior to the hearing is considered an admission of liability for the charged violation. If the hearing officer determines the person is liable for the violation, the person must pay the assessed fines, penalties, costs, and fees in the same manner as property taxes.

This bill also provides for additional administrative adjudication procedures relative to ordinance violations in parishes with a population between 35,500 and 36,000 persons.

EXPENDITURES	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	<u>\$39,000</u>	<u>\$39,000</u>	<u>\$39,000</u>	<u>\$39,000</u>	<u>\$39,000</u>	\$195,000
Annual Total	\$39,000	\$39,000	\$39,000	\$39,000	\$39,000	\$195,000

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	<u>\$115,000</u>	<u>\$115,000</u>	<u>\$115,000</u>	<u>\$115,000</u>	<u>\$115,000</u>	\$575,000
Annual Total	\$115,000	\$115,000	\$115,000	\$115,000	\$115,000	\$575,000

EXPENDITURE EXPLANATION

This bill may increase local fund expenditures for the City of New Orleans by \$39,000 annually starting in fiscal year 2014-15.

According to an official with the City of New Orleans, this bill may increase expenditures of the City by \$39,000 annually starting in fiscal year 2014-15, assuming the City establishes the ordinance and begins to enforce it in July 2014. This official indicated that annual administrative costs may increase by about \$9,000 to handle the violations and an additional hearing officer may be required part-time at an annual cost of about \$30,000 to handle the hearings resulting from this bill. This estimate is based on the number of sanitation or litter inspections in 2013 that would result in a violation of the ordinance, assuming that 1/3 of those violations would result in a hearing.

The provisions of the bill relating to parishes with a population between 35,500 and 36,000 do not have a direct material effect on governmental expenditures. These provisions only apply to Beauregard Parish and St. Bernard Parish, according to the 2010 Census data, and essentially clarify the applicability of existing law in those parishes relative to administrative adjudication procedures for ordinance violations.

REVENUE EXPLANATION

This bill may increase local fund revenues for the City of New Orleans by \$115,000 annually starting in fiscal year 2014-15.

According to an official with the City of New Orleans, this bill may increase revenues of the City by \$115,000 annually starting in fiscal year 2014-15, assuming the City establishes the ordinance and begins to enforce it in July 2014. This estimate is based on the current littering fine set forth in City Code and the number of sanitation or litter inspections in 2013 that would result in a violation of the ordinance, assuming that 2/3 of those violations would result in payment of the fine.

The provisions of the bill relating to parishes with a population between 35,500 and 36,000 do not have a direct material effect on governmental revenues. These provisions only apply to Beauregard Parish and St. Bernard Parish, according to the 2010 Census data, and essentially clarify the applicability of existing law in those parishes relative to administrative adjudication procedures for ordinance violations.

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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} | | |

Joy Irwin
 Director of Advisory Services