

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



Fiscal Note On: **HB 209** HLS 15RS 810  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> May 13, 2015 3:35 PM	<b>Author:</b> LANDRY, T.
<b>Dept./Agy.:</b> District and Local Courts/Criminalistics Laboratories	<b>Analyst:</b> Zachary Rau
<b>Subject:</b> Court fees assessed for certain violations	

CRIMINAL/PROCEDURE OR INCREASE LF RV See Note Page 1 of 1

Provides relative to the assessment of certain court costs and fees in parishes that participate in a criminalistics laboratory commission or a sheriff's criminalistics laboratory

Proposed law increases court fees for violations of state, city, and parish traffic ordinances for defendants being convicted, pleading guilty or nolo contendere, or forfeiting their bond. Revenues collected from court fees will be remitted to criminalistics laboratory commissions or local sheriffs' criminalistics laboratories.

Proposed law increases court fees from \$10 to \$30 for violations of LA R.S. 32, which provides for motor vehicle and traffic regulation, as well as city and parish traffic ordinances. Proposed law increases court fees from \$0 to \$10 for improper use of a seatbelt, as well as for operation of a vehicle without a driver's license, with an expired driver's license, or with an expired inspection sticker. Proposed law increases court fees for violations for LA R.S. 56, which provides for statewide regulation of wildlife and fisheries, from \$0 to \$10.

EXPENDITURES	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>5 -YEAR TOTAL</u>
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>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

REVENUES	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>5 -YEAR TOTAL</u>
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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

**REVENUE EXPLANATION**

The proposed legislation will increase local revenues by an indeterminable amount. This bill increases court fees for defendants being convicted, pleading guilty or nolo contendere, or forfeiting their bond for offenses in Titles 32 and 56 of the LA Revised Statutes, as well as other traffic offenses. Revenue generated as a result of this bill will be remitted to parish and regional criminalistics laboratories.

This bill increases fees for moving traffic violations listed in Title 32 of the LA Revised Statutes from \$10 to \$30, an increase of \$20 per violation. In addition, certain non-moving violations, which previously had no related fee, carry a \$10 fee in the proposed legislation.

For reference, there were approximately 1.0 M district (417,475) and municipal (594,025) traffic court filings in 2013 according to the the LA Supreme Court. Based upon these figures, a maximum of \$30.3 M in revenue would have been generated for criminalistics laboratories in LA, a \$20.2 M increase from the previous maximum of \$10.1 M. However, the actual increase in revenue resulting from this legislation is indeterminable as several factors affect fee assessments and amounts, including the disposition of the case, type of violation (moving or non-moving), and if the defendant is sentenced to a pre-trial diversion program.

In addition, the proposed legislation includes a \$10 fee for violations of LA R.S. 56, which regulates Wildlife and Fisheries statewide. For reference, the LA Department of Wildlife & Fisheries issued 6,702 citations for violations of Title 56 in FY 14. While these citations would have generated no revenue in the past, they would generate \$67,020 in revenue under the proposed legislation. However, the actual increase resulting from the proposed legislation is indeterminable. According to LDWF policy, citations for violations of Title 56 typically result in sentencing to a pre-trial diversion program unless the offender has a violent criminal background or is a repeat offender.

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| Senate   | <u>Dual Referral Rules</u>   | House  |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}                  | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 Rev. Red. to State {H & S} |
| <input checked="" 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} |  |

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