



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: HB 33 HLS 15RS 28
Bill Text Version: ENROLLED
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: June 11, 2015 10:21 AM Author: BERTHELOT
Dept./Agy.: Law Enforcement Agencies Analyst: David Greer
Subject: Increases fines for littering & changes fine distribution

ENVIRONMENT/LITTERING EN INCREASE RV See Note Page 1 of 1
Provides with respect to fines for the offense of littering

Purpose of Bill: The bill doubles the amounts of fines for intentional littering, simple littering, gross littering, and commercial littering. The bill modifies the proportions of the distribution to the current payees and distributes the increase in fines to the retirement system of the law enforcement agency issuing the litter citation.

Table with 7 columns: EXPENDITURES/REVENUES, 2015-16, 2016-17, 2017-18, 2018-19, 2019-20, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total for both categories.

EXPENDITURE EXPLANATION

This bill may increase local and self generated expenditures by an indeterminable amount annually. We assume that there will be an increase in expenditures by law enforcement agencies depending on the amount of revenue generated from the increase in fines.

The new requirement for collections to be paid to the retirement system of the law enforcement agency issuing the citation may have an actuarial impact to one of several retirement systems in which these law enforcement agencies participate. The legislative actuary will address the actuarial impact in a separate actuarial note. The law enforcement agencies include Louisiana State Police, Louisiana Department of Wildlife & Fisheries, all sheriffs, and municipalities.

REVENUE EXPLANATION

This bill will increase local and self generated revenues by an indeterminable amount annually. Because of the many entities (sheriffs, municipalities, Louisiana State Police, and the Department of Wildlife & Fisheries) involved and the lack of violation/conviction data, we were unable to determine the fiscal impact for all entities (law enforcement agencies). However, we were able to provide some estimations based on limited data for past littering citations. According to Louisiana State Police, they issued 295 littering citations in calendar year 2014. If the same number of citations are issued in 2015-2016 fiscal year and all 295 citations are simple first offense littering, revenues could increase by \$22,125 annually (295 citations x \$75 increase). According to the Department of Wildlife and Fisheries, they issued 341 simple littering citations and 224 gross littering citations in calendar year 2014. If the same number and type of citations are issued in 2015-2016 fiscal year, if all citations receive convictions, and if the maximum amount is fined, revenues could increase by \$137,575 (Simple: 341 citations x \$75 increase = \$25,575 and Gross: 224 citations x \$500 minimum increase = \$112,000). According to the Louisiana Municipal Association (LMA), littering fines data is not captured for all municipalities. However, according to LMA, the following littering violations data was gathered for a few municipalities for 2013: Hammond - 13, Walker - 6, Berwick - 16, Springfield - 1, Greenwood - 3. If these were all simple littering violations, revenue would increase by \$2,925. (39 violations x \$75 increase). According to the District Attorneys Association and the Sheriffs Association, they do not have data on littering fines convictions.

- Senate Dual Referral Rules House
13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}
6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
6.8(F)(2) >= \$500,000 Rev. Red. to State {H & S}
6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Signature of Michael G. Battle
Michael G. Battle
Manager, Advisory Services