



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: HB 77 HLS 17RS 58
Bill Text Version: ORIGINAL
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: April 12, 2017 11:00 AM Author: BERTHELOT
Dept./Agy.: Law enforcement agencies Analyst: Sarah Futch
Subject: Decreases fines & increases community service for littering

ENVIRONMENT/LITTERING OR DECREASE LF RV See Note Page 1 of 2
Provides with respect to penalties for the offense of littering

Purpose of the bill: This bill reduces the fines and increases community service hours for 2nd offense intentional littering, 2nd and subsequent offense simple littering, and 1st offense gross littering.

Table with 7 columns: EXPENDITURES, 2017-18, 2018-19, 2019-20, 2020-21, 2021-22, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total. All expenditure values are \$0.

EXPENDITURE EXPLANATION

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

REVENUE EXPLANATION

This bill may decrease 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).

Based on the information we were able to gather, it appears that the revenue impacts of the fine reductions for intentional and simple littering would be minimal. There could be greater impact for the fine reduction to gross littering. The entities below provided information on littering citations and charges for FY 2016:

Intentional littering - 2nd violation and simple littering - 2nd and subsequent violations, FY 2016:

Lake Charles City Court, Sulphur City Court, Lafayette Parish Clerk of Court, Lafayette City Court, St. Tammany Parish District Attorney's Office, Calcasieu Parish District Attorney's Office, Caddo Parish District Attorney's Office, and Avoyelles Parish District Attorney's Office reported that they had no 2nd violations of intentional and/or simple littering.

The Department of Wildlife and Fisheries reported 299 simple and intentional littering citations, but the counts of 1st, 2nd, and subsequent violations are not tracked.

Gross littering - 1st violation, FY 2016:

Lake Charles City Court, Sulphur City Court, Lafayette Parish Clerk of Court, Lafayette City Court, Caddo Parish District Attorney's Office, and the St. Tammany Parish District Attorney's Office reported that they had no violations of gross littering. However, Calcasieu Parish District Attorney's Office reported 3 1st violations of gross littering and Avoyelles Parish District Attorney's Office reported 25. The Department of Wildlife and Fisheries reported 223 gross littering citations for FY 2016.

(See next page)

Senate Dual Referral Rules
13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House
6.8(F)(1) >= \$100,000 SGF Fiscal Cost {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



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CONTINUED EXPLANATION from page one:

Revenue (Cont):

The bill changes the 1st offense gross littering violations fine from \$1,000-\$2,900 to \$900. Assuming all of the Department of Wildlife and Fisheries gross littering citations in FY 2016 were first offenses and including those reported by Calcasieu and Avoyelles, the fine reductions in this bill could reduce revenues by \$25,100 ((3+25+223) x \$100) to \$502,000 ((3+25+223) x \$2,000).

The Department of Public Safety reported 295 littering citations for FY 2016, but the types and counts of violations are not tracked.

According to the District Attorneys Association, they do not collect data on littering fines/convictions.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

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Handwritten signature of Michael G. Battle

Michael G. Battle
Manager, Advisory Services