

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



Fiscal Note On: **SB 211** SLS 17RS 300  
 Bill Text Version: **REENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 27, 2017 7:50 AM	<b>Author:</b> SMITH, G.
<b>Dept./Agy.:</b> Corrections	<b>Analyst:</b> Monique Appeaning
<b>Subject:</b> Crime of Engaging in Contracting Without Authority	

CRIME/PUNISHMENT RE INCREASE LF EX See Note Page 1 of 1  
 Creates the crime of engaging in life safety and property protection contracting without authority. (8/1/17)

Proposed law amends and reenacts R.S. 40:1563.1(A)(20) and (C), (D), and (E) and enacts R.S. 14:206.1 and R.S. 40:1563.1(A)(21) and (F), relative to life safety and property protection contracting. It creates the crime of life safety and property protection contracting without authority, provide for the elements of the crime, certain penalties, authority of the fire marshal to investigate the crime, and for related matters.

<b>EXPENDITURES</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						

  

<b>REVENUES</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>5 -YEAR TOTAL</b>
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Ded./Other	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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><u>\$0</u></b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on state governmental expenditures as a result of this measure. The Office of the State Fire Marshal reports proposed law is likely to reduce staff time dedicated to pursuing civil proceedings. This decrease will allow the agency to devote additional resources to its existing backlog of inspections and enforcement efforts. The agency reports approximately 100 cases could be referred in the first year for criminal conviction.

Proposed law will also result in an indeterminable increase in expenditures for housing local offenders in local facilities if a defendant is convicted of a misdemeanor offense for engaging in life safety and property protection contracting without authority as defined in R.S. 40:1663, and does not hold an active license as required by R.S. 40:1664.4. The maximum imprisonment term is ninety (90) days.

Proposed law will result in an indeterminable increase in expenditures for housing local offenders in local facilities if a defendant is convicted of engaging in life safety and property protection contracting without authority as defined in R.S. 40:1663, and does not hold an active license as required by R.S. 40:1664.4 and causes harm or damage to another in excess of five hundred dollars. The maximum imprisonment term is six (6) months.

**REVENUE EXPLANATION**

Proposed law may result in an indeterminable increase to the Louisiana Life Safety and Property Protection Trust Fund as provided for in R.S. 40:1664.9(J). Proposed law establishes fines ranging from \$500 to \$5,000 to be assessed, collected and deposited into the aforementioned fund for a felony conviction. For a misdemeanor conviction, the fine assessed is not more than \$500 per day of the violation.

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}

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**