

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



Fiscal Note On: **HB 186** HLS 18RS 643

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> March 26, 2018 3:08 PM	<b>Author:</b> MARINO
<b>Dept./Agy.:</b> Corrections	<b>Analyst:</b> Monique Appeaning
<b>Subject:</b> Uniform Controlled Dangerous Substances Law	

DRUGS/CONTROLLED OR DECREASE GF EX See Note Page 1 of 1  
Provides relative to the attempt or conspiracy to commit violations of the Uniform Controlled Dangerous Substances Law

Proposed law changes certain criminal penalties for attempt or conspiracy to commit violations of the Uniform Controlled Dangerous Substances Law.

<b>EXPENDITURES</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
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>						
<b>REVENUES</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</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	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law will likely result in an indeterminable decrease in SGF and an increase in local funds expenditures as it modifies the existing imprisonment terms for attempt and conspiracy to distribute or possess with intent to distribute any substance in Schedule I. Present law provides for imprisonment at hard labor for no less than 8 nor more than 50 years without benefit of parole, probation or suspension of sentence. Proposed law provides that the terms for attempt and conspiracy to distribute or possess with the intent to distribute any substance in Schedule I shall not exceed one-half of the longest imprisonment or fine of the relevant offense.

SGF expenditures will decrease by \$54.21 per offender per day if an offender is housed in a state facility or \$24.39 for a state offender housed in a local facility. An offender sentenced to the custody of the Department of Public Safety and Corrections - Correction Services for one year would decrease SGF expenditures by \$19,786.65 (\$54.21 per day x 365 days) if housed in a state facility and \$8,902.35 (\$24.39 per day x 365 days) if housed in a local facility. Approximately 50% of state offenders are housed in state facilities and approximately 50% of state offenders are housed in local facilities.

Proposed law will result in an indeterminable local funds increase related to increased incarcerations of 6 months or less under the amended penalties for attempt or conspiracy to commit violations of the Uniform Controlled Dangerous Substance Law.

**REVENUE EXPLANATION**

Proposed law may result in an indeterminable increase in local funds revenue as a result of potential fines for attempt and conspiracy to distribute or possess with intent to distribute any substance in Schedule I. The maximum potential fine changes from \$10,000 to \$25,000. The potential revenue will accrue to the local governing authority.

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*  


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