

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



Fiscal Note On: **SB 68** SLS 18RS 18

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 23, 2018	7:11 AM	<b>Author:</b> CLAITOR
<b>Dept./Agy.:</b> Local		<b>Analyst:</b> Alan M. Boxberger
<b>Subject:</b> Provides relative to criminal damage to property		

CRIME/PUNISHMENT RE INCREASE LF EX See Note Page 1 of 1  
Provides relative to criminal damage to property caused by the wake of a vehicle during flood conditions. (gov sig)

Present law provides that any person operating a motor vehicle on public roads of this state is to drive in a careful and prudent manner, so as not to endanger the life, limb or property of any person; provides that failure to drive in such a manner constitutes careless operation; provides that a first violation is punishable by a fine of up to \$175, or imprisonment of up to 30 days, or both; and provides that a subsequent violation is punishable by a fine of up to \$500, or imprisonment for up to 90 days, or both.

Proposed law adds operation of a motor vehicle in a manner that creates a wake that endangers the life, limb, or property of any person during flood conditions to careless operation. Proposed law provides for a rebuttal of presumption that certain persons were operating in a careful and prudent manner (i.e. public utilities, military, law enforcement and emergency services).

<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.	\$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>						

<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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law will result in increased local funds expenditures for local governmental entities to the extent that individuals are convicted under expansions to present law with regard to careless operation. Proposed law adds careless operation during flood conditions to the misdemeanor crimes of careless operation. Proposed law provides that any person operating a motor vehicle on the public roads of this state during flood conditions shall drive in a careful and prudent manner, so as not to create a wake that endangers the life, limb, or property of any person.

An individual convicted of careless operation during flood conditions is a misdemeanor and will create an indeterminable increase in local funds expenditures for local governing authorities. The maximum imprisonment term is 30 days for a first offense and 90 days for subsequent offenses at the local level.

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

**REVENUE EXPLANATION**

Proposed law may result in an indeterminable increase in local funds revenue if an individual is convicted of careless operation during flood conditions.

An individual convicted of careless operation may be fined up to a maximum of \$175 on a first offense or up to \$500 on subsequent offenses. The potential revenue will accrue to the local governing authority.

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

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**