

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 31** SLS 20RS 159

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

| | |
|--|-----------------------------------|
| Date: March 14, 2020 1:53 PM | Author: CONNICK |
| Dept./Agy.: Statewide | Analyst: Monique Appeaning |
| Subject: Obstruction of Justice | |

CRIME/PUNISHMENT OR SEE FISC NOTE GF EX Page 1 of 1
Provides relative to the penalties for obstruction of justice. (8/1/20)

Proposed law provides for specific exceptions to penalties regarding the crime of obstruction of justice. Proposed law provides for a specific exception when the crime obstruction of justice is committed when it involves tampering with evidence with the specific intent of distorting the results of any misdemeanor criminal investigation or proceeding which may reasonably prove relevant to a criminal misdemeanor investigation or proceeding, and does not involve an intentional misdemeanor directly affecting the person..

| EXPENDITURES | 2020-21 | 2021-22 | 2022-23 | 2023-24 | 2024-25 | 5 -YEAR TOTAL |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |
| Annual Total | | | | | | |

| REVENUES | 2020-21 | 2021-22 | 2022-23 | 2023-24 | 2024-25 | 5 -YEAR TOTAL |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |
| Annual Total | | | | | | |

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable decrease in SGF expenditures for the Department of Public Safety and Corrections - Corrections Services (DPSC - CS) if a person is convicted of obstruction of justice for tampering with evidence with the specific intent of distorting the results of any misdemeanor criminal investigation or proceeding which may reasonably prove relevant to a misdemeanor criminal investigation or proceeding, and that does not involve an intentional misdemeanor directly affecting the person. Proposed law changes the imprisonment term from a maximum of five years with or without hard labor to a maximum to six months.

SGF expenditures will decrease by \$67.44 per offender per day if an offender is housed in a state facility or \$26.39 for a state offender housed in a local facility. An offender sentenced to the custody of the DPSC - CS for one year would decrease SGF expenditures by \$24,615.60 (\$67.44 per day x 365 days) if housed in a state facility and \$9,632.35 (\$26.39 per day x 365 days) if housed in a local facility. Approximately 50% of state offenders are housed in state facilities and approximately 50% are housed in local facilities.

Proposed law changes present law to a misdemeanor. This may result in an indeterminable increase local funds expenditures to local governing authorities when a person is convicted of obstruction of justice for tampering with evidence with the specific intent of distorting the results of any misdemeanor criminal investigation or proceeding, and that does not involve an intentional misdemeanor directly affecting the person. The number of individuals that may be convicted under the provisions of proposed law is indeterminable.

REVENUE EXPLANATION

Proposed law may result in an indeterminable decrease in local funds revenue as a result of potential fines if a person is convicted of battery of obstruction of justice for tampering with evidence with the specific intent of distorting the results of any misdemeanor criminal investigation or proceeding which may reasonably prove relevant to a misdemeanor criminal investigation or proceeding, and that does not involve an intentional misdemeanor directly affecting the person. Proposed law decreases the maximum fines imposed from ten thousand dollars to five hundred dollars for this offense. The potential revenue accrues to the local governing authority. The number of individuals that may be convicted under the provisions of proposed law compared to those convicted under present law is indeterminable.

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