

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 344** HLS 21RS 694

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 2, 2021	2:41 PM	Author: BRYANT
Dept./Agy.: Courts		Analyst: Rebecca Robinson
Subject: Fines and Fees		

CRIMINAL/PROCEDURE

OR DECREASE LF EX See Note

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Provides relative to a defendant's ability to pay certain fines, fees, and costs

Proposed legislation requires the judges in any district, city, parish, or mayor's court to adopt a schedule of fines, penalties, and costs for violations of traffic law and regulations, for which the maximum possible penalty is a fine only. Requires a person unable to pay a fine to file an affidavit of indigency, and if accepted, the person shall be placed on a \$25 per month payment plan. Provides that no person shall be jailed or have their driver's license suspended for the inability to pay fines, costs, or fees, unless the court finds, after a hearing, the person had the ability to do so and willfully refused to do so. Provides that a magistrate may not issue an arrest warrant pursuant to Article 333 (failure to appear; issuance of arrest warrant) unless the defendant has been served with notice and the defendant fails to appear after receiving such notice.

EXPENDITURES	2021-22	2022-23	2023-24	2024-25	2025-26	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	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total						
REVENUES	2021-22	2022-23	2023-24	2024-25	2025-26	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

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

There will be a decrease in expenditures to local governmental entities to the extent those entities no longer jail persons for the failure to appear, or to pay court fines, penalties, or costs for violations of traffic laws and regulations.

REVENUE EXPLANATION

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

There may be an indeterminable impact on self-generated revenues to local governmental entities to the extent that courts rule persons indigent and reduce the amount owed, institute a payment plan, or require performance of community service in lieu of a monetary penalty. Local governmental entities may experience an increase in self-generated revenue to the extent persons are placed on a payment plan and receive fines/fees/penalties/costs they ordinarily would not have received; however, local governmental entities may also experience a decrease in self-generated revenue to the extent persons are required perform community service in lieu of fines/fees/penalties/costs. Therefore, the net fiscal impact to local governmental entities is indeterminable.

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}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Alan M. Boxberger

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