



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

Fiscal Note On: **HB 15** HLS 21RS 210  
 Bill Text Version: **ENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

|  |         |                                  |
|--|---------|----------------------------------|
| <b>Date:</b> May 7, 2021   | 9:52 AM | <b>Author:</b> MACK              |
| <b>Dept./Agy.:</b> Corrections                                   |         | <b>Analyst:</b> Rebecca Robinson |
| <b>Subject:</b> Creates crime of staging motor vehicle collision |         |                                  |

CRIME EG INCREASE GF EX See Note Page 1 of 1  
 Provides for the crime of staging of a motor vehicle collision

Proposed legislation creates the crime of the staging of a motor vehicle collision and the crime of the aggravated staging of a motor vehicle collision. The crime of the staging of a motor vehicle collision (MVC) is causing a MVC for the purpose of obtaining something of value. Penalties include imprisonment, with or without hard labor, for up to five years and/or fined up to \$5,000. The aggravated staging of a MVC is the staging of a collision which causes death or serious bodily injury. Penalties include imprisonment, with our without hard labor, for a period of 5 years up to 30 years and/or fined up to \$15,000. Provides for the two proposed new crimes to be included in R.S. 15:1352 as "racketerring activity."

| <b>EXPENDITURES</b> | <b>2021-22</b> | <b>2022-23</b> | <b>2023-24</b> | <b>2024-25</b> | <b>2025-26</b> | <b>5 -YEAR TOTAL</b> |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd.      | INCREASE       | INCREASE       | INCREASE       | INCREASE       | INCREASE       |                      |
| 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         | \$0            | \$0            | \$0            | \$0            | \$0            | <b>\$0</b>           |
| <b>Annual Total</b> |                |                |                |                |                |                      |
| <b>REVENUES</b>     | <b>2021-22</b> | <b>2022-23</b> | <b>2023-24</b> | <b>2024-25</b> | <b>2025-26</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**

There may be an indeterminable increase in SGF expenditures to the Department of Public Safety & Corrections - Corrections Services (DPS&C) if a person is convicted of the staging of a motor vehicle collision or the aggravated staging of a motor vehicle collision. The exact fiscal impact of the passage of this legislation is indeterminable, since the legislation creates a new crime and it is not known how many individuals will be convicted of the crime. However, any offender sentenced to the custody of DPS&C increases SGF expenditures of \$26.39 per day per offender in adult local housing and \$67.36 per day per offender in a state facility. Any offender convicted of these crimes would cost DPS&C \$9,632 annually (\$26.39 per day per offender x 365 days) per offender in adult local housing and \$24,586 annually (\$67.36 per day per offender x 365 days) per offender in a state facility .

If a person is convicted of the staging of a motor vehicle collision, the maximum time of incarceration is 5 years. The maximum increase to the SGF would be \$48,160 per offender (\$9,632 annually per offender x 5 years) in adult local housing and \$122,930 per offender (\$24,586 annually per offender x 5 years) in a state facility.

If a person is convicted of the aggravated staging of a motor vehicle collision, the maximum time of incarceration is 30 years. The maximum increase to the SGF would be \$288,960 per offender (\$9,632 annually per offender x 30 years) in adult local housing and \$737,580 per offender (\$24,586 annually per offender x 30 years) in a state facility.

The proposed law also includes adding the two new proposed crimes to the list of crimes considered "racketeering activity." The penalties for a conviction of racketeering shall be a fine of not more than \$1 M, or imprisoned at hard labor for not more than 50 years, or both. The maximum increase to the SGF would be \$481,600 per offender (\$9,632 annually per offender x 50 years) in adult local housing and \$1.2 M per offender (\$24,586 annually per offender x 50 years) in a state facility.

**REVENUE EXPLANATION**

There may be an indeterminable increase in local funds revenue as a result of potential fines if a person is convicted of the staging of a motor vehicle collision, with a maximum fine of \$5,000, or the aggravated staging of a motor vehicle collision, with a maximum fine of \$15,000. The maximum fine for racketeering is \$1 M. The potential revenue will accrue to the governmental entities.

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}

*Alan M. Boxberger*  
**Alan M. Boxberger**  
**Staff Director**