

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 139** HLS 22RS 229

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 8, 2022 7:07 AM	Author: ADAMS
Dept./Agy.: Property/Servitudes	Analyst: Tim Mathis
Subject: Enclosed cemeteries	

PROPERTY/SERVITUDES OR SEE FISC NOTE LF EX Page 1 of 1
Provides relative to access to enclosed cemeteries

Proposed law provides that the owner of an adjoining property to an enclosed cemetery located within 400 feet of a public road shall grant a voluntary right of passage to persons who desire to have access. Defines an "enclosed cemetery" as a historic cemetery for which a site record form has been filed with and accepted by the Division of Archaeology and to which there is no access to a public road other than across adjoining property. Access is limited to reasonable times and duration and may follow a path designated by the owner. Provides for penalties for violations of the proposed law.

EXPENDITURES	2022-23	2023-24	2024-25	2025-26	2026-27	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						

REVENUES	2022-23	2023-24	2024-25	2025-26	2026-27	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

Local law enforcement agencies may realize an indeterminable but likely nominal increase in expenditures associated with prison costs. The cost increase will depend on the number of persons convicted, the minimum sentence an offender serves, and the cost per day for a local law enforcement agency to incarcerate the offender. The proposed law provides for a fine of up to \$500 or maximum imprisonment of six months, or both.

REVENUE EXPLANATION

There may be an indeterminable but likely nominal increase in local funds revenue as a result of potential fines if a person is convicted of willfully obstructing an individual's right of passage to access certain cemeteries, with a potential maximum fine of \$500. The potential revenue will accrue to local government 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}

Evan Brasseaux

Evan Brasseaux
Interim Deputy Fiscal Officer