



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 627** HLS 22RS 69
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: March 16, 2022 3:51 PM	Author: BRYANT
Dept./Agy.: Corrections	Analyst: Rebecca Robinson
Subject: Penalties for the unauthorized use of a motor vehicle	

CRIME OR INCREASE GF EX See Note Page 1 of 1
 Provides relative to the penalties for the crime of unauthorized use of a motor vehicle

Current law provides that a person convicted of the unauthorized use of a motor vehicle shall be fined not more than \$5,000 or imprisoned with or without hard labor for not more than 2 years, or both.

Proposed legislation enhances the penalties for the conviction of the unauthorized use of a motor vehicles upon the second or subsequent conviction. Upon a first offense, the penalties remain from current law. Upon a second conviction, the penalties include a fine of not more than \$10,000 or imprisoned with or without hard labor for not more than 10 years, or both. Upon a third or subsequent conviction, the penalties include a fine of not more than \$50,000 or imprisoned at hard labor for not more than 20 years.

EXPENDITURES	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

EXPENDITURE EXPLANATION

There will be an increase in the expenditures to the Department of Public Safety & Corrections - Corrections Services (DPS&C) to the extent a person is convicted of the unauthorized use of a motor vehicle two or more times.

There is no fiscal impact upon a first conviction as the penalties remain the same as current law.

There will be an increase in the expenditures of DPS&C to the extent a person receives a second or subsequent conviction for the unauthorized use of a motor vehicle and is sentenced to imprisonment at hard labor (a felony). The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many individuals will be convicted of a second or subsequent offense. 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 \$83.23 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 \$30,379 annually (\$83.23 per day per offender x 365 days) per offender in a state facility. The maximum period of incarceration is 20 years. The maximum increase to the SGF would be \$192,640 per offender (\$9,632 annually per offender x 20 years) in adult local housing and \$607,580 per offender (\$30,379 annually per offender x 20 years) in a state facility.

There will be an increase in local expenditures to the extent a person convicted of the unauthorized use of a motor vehicle on a first or second offense and is sentenced to imprisonment without hard labor (a misdemeanor). The expenditure 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 an offender.

For illustrative purposes, DPS&C currently has 450 offenders in custody for the unauthorized use of a motor vehicle. In 2021, there were 250 people convicted of this crime with an average sentence length of 2 years and there were 569 released with an average time served of 12 years.

REVENUE EXPLANATION

There will be an indeterminable increase in local funds revenue as a result of potential fines to the extent a person is convicted of the unauthorized use of a motor vehicle. The maximum fine is \$50,000 and the potential revenue will accrue to the 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