



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

Fiscal Note On: **HB 462** HLS 22RS 364  
 Bill Text Version: **ENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> March 22, 2022 4:31 PM	<b>Author:</b> MINCEY
<b>Dept./Agy.:</b> Corrections	
<b>Subject:</b> Creates the crime of unauthorized removal of minor	<b>Analyst:</b> Rebecca Robinson

CRIME EG SEE FISC NOTE GF EX See Note Page 1 of 1  
 Creates the crime of unauthorized removal of a minor from school property

Proposed legislation creates the crime of the unauthorized removal of a minor from a school. Penalties include a fine not more than \$5,000, imprisonment with or without hard labor for not less than five years, or both.

<b>EXPENDITURES</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</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 will be an indeterminable increase in SGF expenditures to the Department of Public Safety & Corrections - Corrections Services (DPS&C) to the extent a person is convicted of the unauthorized removal of a minor from school property and is sentenced to imprisonment at hard labor. 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 \$83.23 per day per offender in a state facility. Any offender convicted of this crime would cost DPS&C \$9,632 annually (\$26.39 per day per offender x 365 days) in adult local housing and \$30,379 annually (\$83.23 per day per offender x 365 days) in a state facility. The maximum time of imprisonment is five years; therefore, 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 \$151,895 per offender (\$30,379 annually per offender x 5 years) in a state facility.

There is no direct material affect on the SGF expenditures to DPS&C if a person is convicted of the unauthorized removal of a minor from school property and is sentenced to imprisonment without hard labor. This conviction is a misdemeanor and therefore these offenders would not be sentenced to DPS&C, but rather to local law enforcement. Local law enforcement agencies will realize an indeterminable increase in expenditures associated with incarceration 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 an offender.

**REVENUE EXPLANATION**

There will be an indeterminable increase in local funds revenue as a result of potential fines if a person is convicted of this new crime. The maximum fine is \$5,000 and the potential revenue will accrue to the local 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}

*Evan Brasseaux*  
 Evan Brasseaux  
 Interim Deputy Fiscal Officer