

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



Fiscal Note On: **SB 387** SLS 22RS 272

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> March 27, 2022 2:12 PM	<b>Author:</b> MORRIS, JAY
<b>Dept./Agy.:</b> Attorney General	<b>Analyst:</b> Rebecca Robinson
<b>Subject:</b> Provides for the AG to institute prosecutions	

DISTRICT ATTORNEYS OR INCREASE GF EX See Note Page 1 of 2  
Provides for the attorney general to institute a prosecution when the district attorney refuses. (8/1/22)

Proposed legislation authorizes the Attorney General to institute prosecution or to intervene in any criminal action or proceeding involving a crime of violence. Provides the Attorney General with an additional 15 days from the expiration of time for prosecution by the district attorney to institute prosecution.

<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.	\$969,373	\$941,142	\$977,968	\$1,016,276	\$1,056,009	<b>\$4,960,768</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	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>	<b>\$969,373</b>	<b>\$941,142</b>	<b>\$977,968</b>	<b>\$1,016,276</b>	<b>\$1,056,009</b>	<b>\$4,960,768</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>
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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>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

There will be an increase in SGF expenditures for the Department of Justice - Office of the Attorney General (AG) to the extent the AG initiates prosecution or intervenes in a criminal proceeding involving a crime of violence. However, to the extent the AG's office elects to initiate prosecution or intervene in a criminal proceeding, the AG's office reports a significant workload increase due to the potential caseload. The AG's office indicates the need for eight (8) additional positions, with ancillary operating costs, throughout the state, for a cost of \$969,373 for FY 23. Initial costs for FY 23 are greater due to acquisitions; ongoing costs will increase for salary and related benefits adjustments over future fiscal years. The position titles, associated salaries, related benefits, and other associated expenses are listed on page 2.

The workload created by proposed law is speculative and dependent upon the number of criminal actions the AG's office decides to prosecute. The LFO cannot corroborate the workload and workforce that the AG's office estimates will be necessary. To the degree that demand for services does not materialize, or is less than estimated, the positions and costs may decrease accordingly.

**[EXPENDITURE EXPLANATION CONTINUED ON PAGE 2]**

**REVENUE EXPLANATION**

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

Senate  
 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**



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**CONTINUED EXPLANATION from page one:**

**[EXPENDITURE EXPLANATION CONTINUED FROM PAGE 1]**

POSITION	# OF T.O.	SALARY PER PERSON	SALARY TOTAL	RETIREMENT	MEDICARE	HEALTH INSURANCE
Assistant Attorney General	5	\$83,077	\$415,385	\$166,569	\$6,023	\$33,893
Adm. Assistant	1	\$46,731	\$46,731	\$18,739	\$678	\$6,779
Investigator	1	\$57,115	\$57,115	\$22,903	\$828	\$6,779
Victim Witness Counselor	<u>1</u>	<u>\$49,846</u>	<u>\$49,846</u>	<u>\$19,988</u>	<u>\$723</u>	<u>\$6,779</u>
<b>Subtotal</b>	<b>8</b>		<b>\$569,077</b>	<b>\$228,200</b>	<b>\$8,252</b>	<b>\$54,229</b>
Total Salary and Related Benefits			\$859,757			
Travel			\$14,000			
Supplies			\$4,000			
Operating			\$56,000			
Acquisitions			\$35,616			
<b>GRAND TOTAL</b>			<b>\$969,373</b>			

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}

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