

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 365** HLS 22RS 805
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action: **w/ SEN COMM AMD**
 Proposed Amd.:
 Sub. Bill For.:

Date: May 19, 2022 10:53 AM **Author:** SEABAUGH
Dept./Agy.: Corrections **Analyst:** Rebecca Robinson
Subject: Crime of possession of a firearm by a felon

WEAPONS/FIREARMS RE1 INCREASE GF EX See Note Page 1 of 1
 Designates the crime of possession of a firearm by a felon as a crime of violence

Proposed legislation designates the possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies as a crime of violence. Provides that if a violation under R.S. 14:95.1 is committed during the commission of a crime of violence and the defendant has a prior conviction of a crime of violence, then the violation of this Section shall be designated as a crime of violence.

| EXPENDITURES | <u>2022-23</u> | <u>2023-24</u> | <u>2024-25</u> | <u>2025-26</u> | <u>2026-27</u> | <u>5 -YEAR TOTAL</u> |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| 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 | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | \$0 |
| Annual Total | | | | | | |
| REVENUES | <u>2022-23</u> | <u>2023-24</u> | <u>2024-25</u> | <u>2025-26</u> | <u>2026-27</u> | <u>5 -YEAR TOTAL</u> |
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | DECREASE | DECREASE | DECREASE | DECREASE | DECREASE | |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | \$0 |
| Annual Total | | | | | | |

EXPENDITURE EXPLANATION

There will be an indeterminable increase in the expenditures of the Department of Public Safety & Corrections - Corrections Services (DPS&C) as a result of the proposed legislation. Any conviction under the proposed legislation increases the imposed sentence length in actual custody before being eligible for release based on good time. Therefore, any offender in the custody of DPS&C who remains longer as a result of the proposed legislation would increase SGF expenditures of \$26.39 per day per offender in adult local housing and \$83.23 per day per offender in a state facility. The annual cost of custody by DPS&C is \$9,632 (\$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.

REVENUE EXPLANATION

There will be an indeterminable decrease in SGR revenue for DPS&C - Adult Probation & Parole to the extent an offender has been convicted of a crime of violence under the proposed legislation and remains in custody longer than under the current law, thereby not paying supervision fees to Adult Probation & Parole. Currently, Probation & Parole charges probationers \$60 a month and charges parolees up to \$63 a month.

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