

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 148** SLS 22RS 412

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 24, 2022	2:33 PM	Author: MIZELL
Dept./Agy.: Corrections		Analyst: Rebecca Robinson
Subject: Post-conviction relief for victims of human trafficking		

CRIMINAL JUSTICE

EN SEE FISC NOTE SD EX See Note

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Provides for post-conviction relief for victims of human trafficking. (gov sig)

Proposed legislation provides a mechanism for victims of human trafficking to obtain an expungement, at no cost, of the victim's record. Provides additional elements to the crime of human trafficking. Expands the definition of commercial sexual activity and fraud, force, or coercion.

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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total						

EXPENDITURE EXPLANATION

There will be an indeterminable increase in expenditures of the statutorily dedicated Criminal Identification and Information Fund of the Department of Public Safety & Corrections - State Police and an increase in expenditures to local governmental entities as a result of victims of human trafficking being eligible for an expungement of their record. There is no tracking mechanism within the state of Louisiana as to the number of victims of human trafficking who may have been convicted of a crime; as a result, it is unknown the number of victims that may take advantage of the new mechanism to obtain an expungement of their record. Therefore, the increase in expenditures is indeterminable.

There will be an increase in expenditures to local district attorney's offices to the extent a victim of human trafficking files for an expungement and requests certification from the prosecuting district attorney's office. The requests for certification pursuant to the proposed law will increase the workload for district attorney's office. It is unknown the number of requests that will be received; therefore, the increase in workload and accompanying costs are indeterminable.

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REVENUE EXPLANATION

There will be a decrease in revenue to the statutorily dedicated Criminal Identification and Information Fund with DPS&C - State Police, as well as a decrease in local revenue to the sheriff, district attorney's office, and the clerk of court as a result of victims of human trafficking being eligible for an expungement of their record. Under current law, certain individuals are not eligible for an expungement of their record. However, to the extent the proposed legislation allows for an expungement of a record where an individual was previously ineligible, there will be an indeterminable decrease in revenue to the entities listed below.

The total cost to file an expungement is \$550, with the fees being distributed to one state and three local entities, as follows: \$250 to Criminal Identification and Information Fund for the LA Bureau of Criminal Identification and Information (through the DPS&C - State Police); \$50 to the local sheriff's office, \$50 to local district attorney's office, and \$200 to the local clerk of court's office.

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:
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There will be an increase in statutory dedications expenditures through the Criminal Identification and Information Fund for the LA Bureau of Criminal Identification and Information (through the DPS&C – State Police) to process expungements for victims of human trafficking. Local expenditures will also increase for sheriff’s offices, district attorney’s offices, and clerks of court to process expungements for victims of human trafficking. Any increase in workload or supplies costs to these entities as a result of this measure is indeterminable.

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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