

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 645** HLS 23RS 2129

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: June 4, 2023	9:01 PM	Author: MILLER, D.
Dept./Agy.: Corrections		
Subject: Unlawful Production, Manufacture, Distribution of Xylazine		Analyst: Daniel Druilhet

CONTROLLED SUBSTANCES

EN SEE FISC NOTE GF EX See Note

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Creates the crime of unlawful production, manufacturing, distribution, or possession of Xylazine

Proposed law creates the crime of unlawful production, manufacturing, distribution, or possession of Xylazine. Proposed law assesses a sentence of imprisonment of no less than one nor more than ten years, with or without hard labor, for conviction of knowingly or intentionally producing, manufacturing, distributing, or possessing with intent to produce, manufacture, or distribute Xylazine. Proposed law provides that a fine of no more than \$15,000 may be imposed for conviction of knowingly or intentionally producing, manufacturing, distributing, or possessing with intent to produce, manufacture, or distribute Xylazine.

Proposed law assesses a sentence of imprisonment of no more than six months for conviction of knowingly or intentionally possessing Xylazine. Proposed law provides that a fine of no more than \$500 may be imposed for conviction of knowingly or intentionally possessing Xylazine.

EXPENDITURES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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>	<u>\$0</u>
Annual Total						
REVENUES	2023-24	2024-25	2025-26	2026-27	2027-28	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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPSC – CS) if a person is convicted of knowingly or intentionally producing, manufacturing, distributing, or possessing with intent to produce, manufacture, or distribute Xylazine. The exact fiscal impact of the passage of this legislation is indeterminable, since it not known how many people will be convicted as a result of enactment of proposed law, and the sentences imposed for conviction of proposed law may vary.

SGF expenditures will increase by \$101.76 per offender per day to the extent that an offender is convicted and then subsequently housed in a state facility or \$26.39 per offender per day for a state offender housed in a local facility. An offender sentenced to the custody of the DPSC – CS for one year would increase expenditures by \$37,142.40 (\$101.76 per day x 365 days) if housed in a state facility and \$9,632.35 (\$26.39 per day x 365 days) if housed in a local facility.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of potential fines assessed to persons convicted of unlawful possession, production, manufacture, distribution, or possessing with intent to produce, manufacture, or distribute Xylazine. The exact fiscal impact of proposed law to revenues is indeterminable, as the fines assessed range from no more than \$500 to no more than \$15,000. The potential revenue will accrue to the local governing authority.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

Evan Brasseaux
Interim Deputy Fiscal Officer