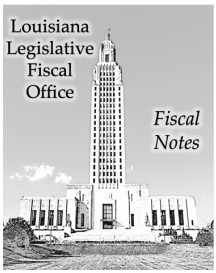


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 127** HLS 24RS 451

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

| | | |
|---|----------|---------------------------------|
| Date: March 9, 2024 | 10:25 AM | Author: BAYHAM |
| Dept./Agy.: Corrections/Courts | | Analyst: Daniel Druilhet |
| Subject: Penalties for Simple Obstruction of a Highway of Commerce | | |

CRIMINAL/PENALTIES

OR SEE FISC NOTE LF EX

Page 1 of 1

Provides relative to the penalties for the crime of simple obstruction of a highway of commerce

Current law provides that simple obstruction of a highway of commerce is the intentional or criminally negligent placing of anything or performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult; mandates a fine of not more than \$200 or imprisonment for not more than 6 months, or both, for conviction of simple obstruction of a highway of commerce. Proposed law retains current law and adds a definition of simple obstruction of a highway of commerce as the coordination, organization, planning of either the intentional or criminally negligent placing of anything or the intentional or criminally negligent performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult; increases the fine to no more than \$750 and sentence of imprisonment for conviction of current law to not more than 9 months; adds a fine of no more than \$500 and a sentence of imprisonment of not more than 1 year for conviction of the added definition of simple obstruction of a highway of commerce.

| EXPENDITURES | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 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

| REVENUES | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 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 Local Funds expenditures for local governing authorities if a person is convicted of simple obstruction of a highway of commerce. Proposed law expands the definition of the crime of simple obstruction of a highway of commerce to the coordination, organization, planning of either the intentional or criminally negligent placing of anything or the intentional or criminally negligent performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult. Proposed law has the effect of expanding the circumstances under which violations of current law can occur, and increases the maximum term of imprisonment. The exact fiscal impact of the passage of this legislation to local governing authorities is indeterminable, since it is not known how many people will be convicted and incarcerated in local facilities, nor the length of the sentences assessed with those convictions as a result of its potential enactment. The maximum imprisonment term is no more than one year at the local level.

There is no anticipated direct material effect on state governmental expenditures as a result of this measure because this legislation creates a misdemeanor offense; therefore, these offenders are not sentenced to the Department of Public Safety & Corrections - Corrections Services (DPS&C).

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of simple obstruction of a highway of commerce. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because the fines that would be imposed on those convicted are optional, and the amount of the fines, if imposed, may vary. 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}

Patrice Thomas
Deputy Fiscal Officer