



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 226** HLS 24RS 679
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: March 28, 2024 3:38 PM	Author: LANDRY, MANDIE
Dept./Agy.: Corrections/Sheriffs	
Subject: Increases Penalty for Public Bribery	Analyst: Daniel Druilhet

CRIME EG SEE FISC NOTE LF EX See Note Page 1 of 1
 Increases the penalties for public bribery

Current law assesses a penalty of imprisonment of no more than 5 years, with or without hard labor, or a fine of no more than \$1,000, for offenders convicted of the crime of public bribery. Proposed law increases the penalty of imprisonment for offenders convicted of the crime of public bribery to no more than 10 years, with or without hard labor; increases the optional fine for conviction of the crime of public bribery to no more than \$2,000.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	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	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					
Annual Total						

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in Local Funds expenditures for local governing authorities or SGF expenditures to the Department of Public Safety & Corrections - Corrections Services (DPS&C-CS) if a person is convicted of the crime of public bribery. Proposed law is a relative felony, and any impact on either local or state expenditures is contingent on whether offenders sustain either misdemeanor or felony-grade convictions for its violation. The exact fiscal impact of the passage of this legislation to state or local governing authorities is indeterminable, since it is not known how many people will be convicted, the number of felony or misdemeanor convictions of the proposed law that will occur, nor the length of the sentences assessed with those convictions as a result of its potential enactment.

To the extent that offenders sustain a felony-grade conviction for violation of the proposed law, DPS&C-CS will sustain an indeterminable increase in expenditures at the local level. DPS&C-CS advises that impacts on offender populations are anticipated to impact the number of offenders held in local facilities, and that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities. For those convicted, sentenced, and then subsequently housed in a local facility, DPS&C-CS will sustain expenditures of \$26.39 per offender per day. For those housed in state facilities, DPS&C-CS will sustain expenditures of \$107.60 per offender per day.

To the extent that offenders sustain a misdemeanor conviction for violation of the proposed law, local governing authorities will sustain Local Funds expenditures. 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 10 years at the local level.

For informational purposes, DPS&C reports that there have been an average of 4 admissions in the past three years with an average sentence length of 3.8 years for those convicted of public bribery.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of public bribery. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because the fines imposed for conviction of proposed law are optional, and the amount of the fines imposed on those convicted may vary. The potential revenue will accrue to the local governing authority.

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H} | | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H} | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |


Patrice Thomas
 Deputy Fiscal Officer