

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 339** SLS 24RS 336
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 17, 2024	3:43 PM	Author: HARRIS, JIMMY
Dept./Agy.: Corrections		
Subject: Aggravated & Simple Obstruction of a Highway of		Analyst: Daniel Druilhet

CRIME/PUNISHMENT RE SEE FISC NOTE LF EX See Note Page 1 of 1
 Provides relative to aggravated and simple obstruction of a highway of commerce. (gov sig)

Current law provides that aggravated 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, wherein it is foreseeable that human life might be endangered; 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, road, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult. Proposed law adds a streetcar railway in both definitions for the crimes of aggravated obstruction of a highway of commerce and simple obstruction of a highway of commerce; assesses a fine of no less than \$2,500 for those convicted of simple obstruction of a highway of commerce on a streetcar railway; becomes effective 8/01/24.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	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	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 SGF expenditures in the Department of Public Safety & Corrections - Corrections Services, to the extent that an offender sustains a felony-grade conviction for aggravated obstruction of a highway of commerce by intentional or criminally negligent placing of anything or performance of any railway, including a streetcar railway, where it is foreseeable that human life might be endangered. While the proposed law does not enhance penalties for potential offenders, it extends the area in which the current law crimes of simple and aggravated obstruction of a highway of commerce can occur.

The exact fiscal impact of the passage of this legislation to expenditures is indeterminable, since it is not known how many people will be convicted and subsequently incarcerated for its violation, nor the length of the sentences assessed with those convictions as a result of its potential enactment. Proposed law (aggravated obstruction of a highway of commerce) 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. For those convicted, sentenced, and then subsequently housed in a state facility, DPS&C-CS will sustain expenditures of \$107.60 per offender per day. 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. 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.

Proposed law may result in an indeterminable increase in Local Funds expenditures to local governing authorities, to the extent that offenders sustain misdemeanor convictions for simple or aggravated obstruction of a highway of commerce. 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 15 years at the local level.

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, as the fines that would be imposed on those convicted are optional, and the number of fines that will be imposed on offenders convicted of proposed law 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