



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 420** SLS 24RS 1140
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 3, 2024	2:17 PM	Author: HODGES
Dept./Agy.: Corrections/Attorney General/Secretary of State		Analyst: Daniel Druilhet
Subject: Election Fraud or Forgery		

CRIME/PUNISHMENT EG SEE FISC NOTE GF EX Page 1 of 1
 Creates the crime of election fraud or forgery. (8/1/24)

Proposed law creates the crime of election fraud or forgery; provides definitions for the crime; assesses a penalty of imprisonment on first conviction of no more than two years, with or without hard labor, or a fine of no more than \$2,000, or both, and on second or subsequent conviction, imprisonment for no more than five years at hard labor, or a fine of no more than \$5,000, or both.

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, if a person is convicted of election fraud or forgery. Proposed law (on conviction of a first offense) is a relative felony, and any impact on either state or local expenditures is contingent on whether offenders sustain either a misdemeanor or felony-grade conviction for its violation. Proposed law, on second or subsequent offense, is a felony. The exact fiscal impact of the passage of this legislation to state or local governing authorities is indeterminable, since it creates a crime, and it is not known how many people will be convicted, the number of felony or misdemeanor convictions for violation of the proposed law that will occur, nor the length of the sentences assessed as a result of its potential enactment.

To the extent that offenders sustain felony-grade convictions 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 two years at the local level.

For informational purposes, the Department of Public Safety & Corrections - CS reports that there have been no admissions in the past five years for any violation of Title 18 (the Louisiana Election Code).

REVENUE EXPLANATION

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

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}


Patrice Thomas
 Deputy Fiscal Officer