



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 205** HLS 24RS 144
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 30, 2024	10:27 AM	Author: GLORIOSO
Dept./Agy.: Corrections		Analyst: Daniel Druilhet
Subject: Adds Crimes to the Crime of Racketeering Activity		

CRIME/RACKETEERING EN SEE FISC NOTE GF EX Page 1 of 2
 Provides for the definition of the crime of racketeering

Current law provides a list of criminal offenses under which offenders can be prosecuted under the Louisiana Racketeering Act. Proposed law adds the crimes of rioting, inciting to riot, injury by arson, simple arson of a religious building, manufacture and possession of delayed incendiary devices, manufacture and possession of a bomb, aggravated criminal damage to property, criminal damage to historic buildings or landmarks by defacing with graffiti, criminal damage to a critical infrastructure, bank fraud, battery of a police officer, terrorizing/menacing, aiding and abetting others to enter or remain on premises where forbidden; aggravated obstruction of a highway of commerce, simple obstruction of a highway of commerce, institutional vandalism, and obstructing a fireman as offenses under which the Louisiana Racketeering Act may apply for prosecution.

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	\$0	\$0	\$0	\$0	\$0	\$0
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 (DPS&C-CS), to the extent that any new convictions for criminal offenses added to the Louisiana Racketeering Act result in longer sentences currently imposed on those convicted for each of the individual offenses. Proposed law has the effect of adding an enhanced penalty of imprisonment for each of the crimes added to the Louisiana Racketeering Act to no more than 50 years, at hard labor, in addition to any sentence of imprisonment for conviction for any of the individual offenses. The exact fiscal impact of the passage of this legislation is indeterminable, because it is not known how many offenders will be convicted and subject to a sentence of imprisonment, nor the length of sentences assessed for those convictions as a result of its potential enactment.

For illustrative purposes, SGF expenditures will increase by \$107.60 per offender per day to the extent that an offender is convicted, sentenced, and then subsequently housed in a state facility or \$26.39 per offender per day for an offender housed in a local facility. Corrections Services reports that impacts on offender populations are anticipated to affect the number of offenders held in local facilities. Corrections Services reports that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities.

For informational purposes, the DPS&C-CS reports the following number of annual average admissions and the average sentences for crimes to be included within the proposed law over the past three years:

Crime	Average Admissions	Average Sentence (Years)
Manufacturing or Possession of a Delayed Incendiary Device	2	6.15
Manufacturing or Possession of a Bomb	3	4.6
Aggravated Criminal Damage to Property	105	5.23
Critical Damage to Infrastructure	3	6
Bank Fraud	109	4.1
Battery of a Police Officer	55	1.9
Terrorizing; Menacing	22	4
Aggravated Obstruction of a Highway of Commerce	57	5.3
Institutional Vandalism	3	1.4

CONTINUED ON PAGE 2

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions related to violations of the Louisiana Racketeering Act. 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
 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



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CONTINUED EXPLANATION from page one:

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Note: DPS&C-CS reported no admissions for either rioting, inciting to riot, criminal damage to historic buildings or landmarks with graffiti, simple arson of a religious building, aiding or abetting others to enter or remain on premises where forbidden, simple obstruction of a highway of commerce, or obstructing a fireman, and only one admission for injury by arson (with a 12-year sentence assessed to the offender convicted) for the past three years.

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}

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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}


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