

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 56** HLS 26RS 175

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 12, 2026 10:30 AM	Author: VILLIO
Dept./Agy.: Clerks, DA's, LDH, Public Defenders, and Judiciary	Analyst: Daniel Druilhet
Subject: Imposition of Fines for Driving While Impaired	

DWI OR DECREASE SD RV See Note Page 1 of 1
Provides relative to the imposition of fines for driving while impaired

Current law provides that in addition to ordinary fines for driving while impaired, the offender shall be charged an additional fine to be deposited into the Louisiana Emergency Response Network Fund; provides that additional fines shall be made in the following amounts - first offense, an additional \$25; second offense, an additional \$50; third offense, an additional \$100; fourth or subsequent offense, an additional \$250. Proposed law repeals the additional fines within current law; is effective upon signature by the governor or lapse of time for gubernatorial action.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	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	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total						
REVENUES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						

EXPENDITURE EXPLANATION

Proposed law will likely result in an indeterminable decrease in workload in local district attorneys offices, to the extent that local courts experience a reduction in trials held for first, second, third, and fourth offense operating while impaired. With enactment of Act 194 of the 2025 RS, the maximum fines that can be assessed for violations of first, second, and third offense convictions of DWI, increased by \$25, \$50, and \$100, respectively (increasing the maximum fines that could be assessed to \$1,025, \$1,050, and \$1,100). Because the Code of Criminal Procedure (La. C.Cr.Pr. Art. 779) entitles a defendant charged with a misdemeanor where the possible punishment is a fine exceeding \$1,000 or imprisonment for more than six months to a jury trial, local district attorneys offices faced additional workload for additional jury trials that were scheduled due to the increase in fines assessed. Because the proposed law has the effect of potentially reducing the number of jury trials that would be scheduled under current law, workload in district attorneys may decrease. The exact fiscal impact to local district attorneys is unknown, because it is unknown the number of trials that would not be scheduled due to a decrease in the maximum fines assessed in each trial.

Proposed law reduces additional fees that are deposited into the Louisiana Emergency Response Network (LERN) Fund. The LERN agency has not been appropriated any monies out of the fund. Therefore, there is no expenditure impact to LERN.

REVENUE EXPLANATION

Proposed law will likely result in a decrease in revenues to the Louisiana Emergency Response Network (LERN) Fund, to the extent that any additional fees realized from convictions of first, second, third, and fourth offense operating while impaired (with enactment of Act 194 of the 2025 RS) are repealed. Between 7/1/2025 and 3/11/2026, \$97,879 in fees were deposited into the LERN Fund from additional fees on first, second, third, and fourth or subsequent offense of operating a motor vehicle while impaired; first and second or subsequent offense of reckless operation of a vehicle; reckless operation of an off-road vehicle; speeding; and first, second, third, and fourth or subsequent offense of drag racing and racing on public roads. Of this \$97,879, it is unknown the specific amount attributable to fines generated from first, second, third, and fourth offense convictions of operating while impaired. Sheriffs are responsible for collecting each of the additional fines imposed and forward those to the treasury.

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