

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 497** HLS 13RS 417

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 18, 2013	5:00 PM	Author: MORENO
Dept./Agy.: Corrections		Analyst: Stephanie C. Blanchard
Subject: First and second conviction of domestic abuse battery		

CRIME/ABUSE OR INCREASE GF EX See Note Page 1 of 1
Increases the maximum term of imprisonment for a first and second conviction of domestic abuse battery

Present law provides for the following penalties for the crime of domestic abuse battery:

- (1) First conviction - fined not less than \$300 nor more than \$1,000 and imprisoned for not less than 30 days nor more than six months
- (2) Second conviction - fined not less than \$750 nor more than \$1,000 and imprisoned for not less than 60 days nor more than six months

Proposed law increases the maximum term of imprisonment for a first and second conviction from six months to one year.

EXPENDITURES	2013-14	2014-15	2015-16	2016-17	2017-18	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						
REVENUES	2013-14	2014-15	2015-16	2016-17	2017-18	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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation may result in an indeterminable increase in state general fund expenditures if a defendant is sentenced to the maximum term of imprisonment for a first or second conviction of domestic abuse battery. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many individuals will be convicted of the crime. However, any offender sentenced to the custody of the Department of Public Safety and Corrections increases expenditures by \$24.39 per day per offender in local facilities. Therefore, for any offender convicted of this crime, it would cost the state \$8,902 annually (1 offender x \$24.39 per day x 365 days).

To the extent that offenders are housed in state facilities, the cost per day per offender is \$47.74. Therefore, for any offender convicted of this crime, it would cost the state \$17,425 annually (1 offender x \$47.74 per day x 365 days).

Currently, there are 82 offenders within state or local facilities for the crime of domestic abuse battery.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

<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) >= \$500,000 Annual Fiscal Cost {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}

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