



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: SB 251 SLS 13RS 783
Bill Text Version: ENGROSSED
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: May 1, 2013 8:43 AM Author: MORRELL
Dept./Agy.: Courts Analyst: Steven Kraemer
Subject: Additional Court Costs for Domestic Violence Offenses

DOMESTIC VIOLENCE EG INCREASE LF RV See Note Page 1 of 1
Provides for fee to be added to domestic violence convictions in certain courts. (2/3 - CA7s2.1) (gov sig)

Purpose of Bill: This bill creates a court cost to be imposed on any defendant who is convicted of a domestic violence offense by a mayor's court, magistrate court/section, or any court with competent jurisdiction. These courts are required to impose a cost not less than \$1 and not more than \$500. These funds are to be remitted to the parish governing authority. The parish governing authority, except Orleans Parish, shall use the monies for contracting with any program under contract with and recognized by the Department of Children and Family Services as a provider of a community based shelter for victims of domestic violence pursuant to R.S. 46:2124 in that parish. In Orleans Parish, the monies are to be used for contracting with any local nonprofit organization that provides shelter to homeless or battered women and their children.

State law (R.S. 13:62) requires this court cost to be reviewed by the Judicial Council and a recommendation be provided to the legislature prior to enacting the court cost. An official with the Louisiana Supreme Court indicated that this court cost was not reviewed by the Judicial Council.

Table with 7 columns: EXPENDITURES, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

Table with 7 columns: REVENUES, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION

We were unable to determine the impact that this bill may have on local governmental expenditures statewide. However, this bill may increase local fund expenditures of parish governing authorities when they contract with non-profits as provided for in the bill. In addition, there may be some added cost for additional audit services.

REVENUE EXPLANATION

We estimate that this bill may increase local government revenue by up to approximately \$1.3 million annually statewide.

Based on information obtained from the Louisiana Public Defender's Office, we estimate that this bill may increase local government revenue by up to approximately \$1.3 million annually (2,547 convictions/guilty pleas x \$500 per conviction) statewide. However, it is possible that courts will not levy the maximum fee provided for in the bill. Therefore, it is difficult to determine the actual overall impact. Also, an official providing this information indicated that the conviction figures provided were likely lower than actual convictions/guilty pleas due to data limitations.

Senate Dual Referral Rules House
13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} 6.8(F) >= \$500,000 Annual Fiscal Cost {S}
13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Joy Irwin
Director of Advisory Services