



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: HB 940 HLS 14RS 1310
Bill Text Version: ORIGINAL
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: March 19, 2014 2:21 PM
Author: ABRAMSON
Dept./Agy.: City of New Orleans
Subject: Violations of Sanitation and Litter Ordinances
Analyst: Becky Ewing

ADMINISTRATIVE PROCEDURE OR +\$115,000 LF RV See Note Page 1 of 1
Provides relative to nuisance ordinances in the city of New Orleans

Purpose of Bill: This bill authorizes the City of New Orleans to adopt a sanitation and litter ordinance and provides for additional administrative adjudication notice and procedures relative to violations of such ordinance.

This bill provides that a person charged with violating the ordinance may present evidence or testimony to a hearing officer at a scheduled hearing. Failure to appear for a hearing or to present sufficient evidence to the officer prior to the hearing is considered an admission of liability for the charged violation. If the hearing officer determines the person is liable for the violation, the person must pay the assessed fines, penalties, costs, and fees in the same manner as property taxes. The ordinance must provide for the amount and disposition of fines, penalties, costs, and fees.

Table with 7 columns: EXPENDITURES/REVENUES, 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total for both categories.

EXPENDITURE EXPLANATION

This bill may increase local fund expenditures for the City of New Orleans by \$39,000 annually starting in fiscal year 2014-15.

According to an official with the City of New Orleans, this bill may increase expenditures of the City by \$39,000 annually starting in fiscal year 2014-15, assuming the City establishes the ordinance and begins to enforce it in July 2014. This official indicated that annual administrative costs may increase by about \$9,000 to handle the violations and an additional hearing officer may be required part-time at an annual cost of about \$30,000 to handle the hearings resulting from this bill. This estimate is based on the number of sanitation or litter inspections in 2013 that would result in a violation of the ordinance, assuming that 1/3 of those violations would result in a hearing.

REVENUE EXPLANATION

This bill may increase local fund revenues for the City of New Orleans by \$115,000 annually starting in fiscal year 2014-15.

According to an official with the City of New Orleans, this bill may increase revenues of the City by \$115,000 annually starting in fiscal year 2014-15, assuming the City establishes the ordinance and begins to enforce it in July 2014. This estimate is based on the current littering fine set forth in City Code and the number of sanitation or litter inspections in 2013 that would result in a violation of the ordinance, assuming that 2/3 of those violations would result in payment of the fine.

- Senate Dual Referral Rules House
13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}
6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S}
6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Joy Irwin
Director of Advisory Services