

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 103** HLS 14RS 633

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 20, 2014 12:23 PM	Author: FOIL
Dept./Agy.: Corrections	Analyst: Stephanie C. Blanchard
Subject: Penalties for Schedule I Controlled Dangerous Substances	

CONTROLLED SUBSTANCES OR INCREASE GF RV See Note Page 1 of 1
Increases penalties for distribution of narcotic Schedule I Controlled Dangerous Substances

Present law provides penalties for the production, manufacturing, distribution, or dispensing of a controlled dangerous substance, or for the possession with the intent to produce, manufacture, distribute, or dispense a controlled dangerous substance, which is a narcotic drug, shall be sentenced to imprisonment for not less than five nor more than 20 years at hard labor at least five years of which shall be served without benefit of probation, or suspension of sentence, and may, in addition, be required to pay a fine of not more than \$50,000.

Proposed law increases the minimum mandatory penalty from five years to 20 years.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	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	2014-15	2015-16	2016-17	2017-18	2018-19	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 convicted of the production, manufacturing, distribution, or dispensing of a controlled dangerous substance, or for the possession with the intent to produce, manufacture, distribute, or dispense a controlled dangerous substance, which is a narcotic drug. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many individuals will be convicted of this 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. To the extent an offender serves 15 additional years, the cost in a local facility would be \$133,535 (\$24.39 per day x 365 days x 15 years).

To the extent that offenders are sentenced and housed in state facilities, the cost per day per offender is \$52.51. Therefore, for any offender convicted of this crime and serves 15 additional years, the cost in a state facility would be \$287,492 (\$52.51 per day x 365 days x 15 years).

According to the Department of Corrections there are currently 4,685 offenders incarcerated for Schedule I narcotic drug crimes with an average sentence length imposed of 10 years. In 2013, there were 1,670 admissions with an average sentence length of 5 years.

REVENUE EXPLANATION

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

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & 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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