

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 87** SLS 14RS 497  
 Bill Text Version: **ENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 21, 2014 4:40 PM	<b>Author:</b> CLAITOR
<b>Dept./Agy.:</b> Corrections	<b>Analyst:</b> Stephanie C. Blanchard
<b>Subject:</b> Possession or distribution of heroin	

CONTROL DANGER SUBSTANCE EG INCREASE GF EX See Note Page 1 of 1  
 Increases the maximum term of imprisonment for possession or distribution of heroin to 99 years. (gov sig)

Proposed law increases the maximum term of imprisonment at hard labor for the manufacturing, distribution, or possession with intent to distribute heroin from 50 years to 99 years.

<b>EXPENDITURES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

The proposed legislation may result in an indeterminable increase in state general fund expenditures if a defendant is convicted of the manufacturing, distribution, or possession with the intent to distribute heroin. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many individuals will be convicted of these crimes. The proposed legislation increases the maximum term of imprisonment from 50 years to 99 years. However, the term of imprisonment is at the discretion of the judges and could be significantly less.

According to the Department of Corrections, in 2013 there were 244 offenders with an average sentence length of 5 years. 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 49 additional years, the cost in a local facility would be \$436,215 (\$24.39 per day x 365 days x 49 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 49 additional years, the cost in a state facility would be \$939,141 (\$52.51 per day x 365 days x 49 years).

**REVENUE EXPLANATION**

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

- Senate Dual Referral Rules House  6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
- 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}  6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & 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}

*Evan Brasseaux*  
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**Staff Director**