

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 791** HLS 14RS 1318

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 15, 2014	9:58 AM	Author: JACKSON, K
Dept./Agy.: Corrections		Analyst: Stephanie C. Blanchard
Subject: Crime of theft		

CRIME/THEFT

EN INCREASE GF EX See Note

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Amends the crime of theft and repeals statutes relative to theft of certain things

Present law provides for the crime of theft and provides penalties. Proposed law amends the penalties for this offense as follows: (1) When the taking amounts to a value of \$25,000 or more - imprisonment, with or without hard labor for 5-20 years, a fine of up to \$50,000, or both. (2) When the taking amounts to a value of \$5,000 or more, but less than \$25,000 - imprisonment, with or without hard labor for up to 10 years, a fine of up to \$10,000, or both. (3) When the taking amounts to a value of \$750 or more, but less than a value of \$5,000 - imprisonment with or without hard labor, for not more than 5 years, a fine of not more than \$3,000, or both. (4) When the taking amounts to a value of less than \$750 - imprisonment for not more than six months, a fine of not more than \$1,000, or both. Proposed law amends the present law threshold amounts for the penalties for the attempt to commit the crime of theft as follows: (1) Attempted theft of an amount not less than \$750 nor more than \$25,000 - a fine not more than \$500, imprisonment for not more than 1 year, or both. (2) Attempted theft of an amount over \$25,000 - a fine not more than \$2,000, imprisonment for not more than 5 years, or both.

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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

The proposed legislation may result in an increase in state general fund expenditures if a defendant is convicted of certain crimes of theft. The proposed legislation consolidates and repeals duplicate provisions in various theft statutes. Additionally, the legislation raises the threshold for felony theft up to 20 years dependent on the value of the theft and some offenders sentenced under the provisions of proposed law in the future would be subject to possibly serving longer sentence lengths. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many people 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 that offenders are housed in state facilities, the cost per day, per offender is \$52.51.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure. Any revenue generated through the imposition of fines created by this legislation would accrue to local government entities.

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|-----------------------------------------------------------------------------|----------------------------------------------|--------------------------------|--------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Senate | <input type="checkbox"/> Dual Referral Rules | <input type="checkbox"/> House | <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} |

Evan Brasseaux
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