

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 148** SLS 14RS 369
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 21, 2014 9:55 AM	Author: DORSEY-COLOMB
Dept./Agy.: Corrections	Analyst: Stephanie C. Blanchard
Subject: Homicides when there are multiple victims	

CRIME/PUNISHMENT EN INCREASE GF EX See Note Page 1 of 1
 Provides relative to sentencing for certain homicides when there are multiple victims. (gov sig)

Present law provides that whoever commits the crime of vehicular homicide is to be fined not less than \$2,000 nor more than \$15,000 and imprisoned with or without hard labor for not less that five years nor more than 30 years. At least three years of the sentence of imprisonment is to be imposed without benefit of probation, parole, or suspension of sentence. If the operator's blood alcohol concentration is 0.15 percent or more by weight based upon grams of alcohol per 100 cubic centimeters of blood, then at least five years of the sentence of imprisonment is to be imposed without benefit of probation, parole, or suspension. If the offender was previously convicted of a violation of present law crime of operating a vehicle while intoxicated, then at least five years of the sentence of imprisonment is to be imposed without benefit of probation, parole, or suspension of sentence. Proposed law provides that notwithstanding present law provisions, if the offense of vehicular homicide for which the offender was convicted proximately or directly causes the death of two or more human beings then requires that the offender be sentenced separately for each victim, and that the sentences shall run consecutively. In calculating the number of deaths, a human being shall include an unborn child.

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 in regards to the enumerated charges that would ultimately result in longer sentence lengths for those individuals convicted in the future. 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.

According to the Department of Corrections there are currently 155 offenders incarcerated for vehicular homicide with an average sentence length of 17 years. In 2013, there were 34 admissions with an average sentence length imposed of 10 years and 49 releases with an average sentence length imposed of 7 years. There is 1 offender incarcerated for third degree feticide with a sentence length of 10 years. However, any offender affected by the proposed legislation (assuming the offender is to be sentenced separately for each victim, and such sentences are to run consecutively) increases expenditures by \$24.39 per day per offender in local facilities. To the extent an offender serves an additional year, the cost in a local facility would be \$8,902 (\$24.39 per day x 365 days).

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 an additional year, the cost in a state facility would be \$19,167 (\$52.51 per day x 365 days).

REVENUE EXPLANATION

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

Senate	<u>Dual Referral Rules</u>	House	<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	<i>Evan Brasseaux</i> Evan Brasseaux Staff Director
<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}		