

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 67** HLS 16RS 341

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 22, 2016 2:30 PM	Author: BACALA
Dept./Agy.: Office of Juvenile Justice	Analyst: Monique Appeaning
Subject: Possession/Consumption-Alcoholic Beverages Under Age 18	

ALCOHOLIC BEVERAGES

OR SEE FISC NOTE GF EX

Page 1 of 1

Provides relative to the possession and consumption of alcoholic beverages by persons under the age of 18

Proposed law retains present law as it pertains to persons who are at least 18 years of age but not yet 21 years. It is unlawful for any person under twenty-one years of age to purchase or have public possession of any alcoholic beverage. Present law states, whoever violates the provisions of this Section shall be fined not more than \$100 or imprisoned for not more than six months, or both. Proposed law provides the following exceptions to the general prohibition of public possession of alcohol: 1) The person is under the direct supervision of a parent or legal guardian who is 21 years of age or older; 2) An established religious purpose; 3) Medical purposes when purchased as an over the counter medication, or when prescribed or administered by a licensed physician, pharmacist, dentist, nurse, hospital or medical institution; 4) When possession is pursuant to employment by a duly licensed manufacturer, wholesaler or retailer of alcoholic beverages. Proposed law provides penalties of a fine of not more than \$100, imprisonment for not more than 10 days or both.

EXPENDITURES	2016-17	2017-18	2018-19	2019-20	2020-21	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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						

REVENUES	2016-17	2017-18	2018-19	2019-20	2020-21	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 a nominal decrease in SGF expenditures for OJJ per juvenile offender of \$19,511 per offense as a result of the sentencing guideline changes for those under age 18 from six (6) months to ten (10) days associated with possession or consumption of alcoholic beverages.

Under current law, the cost per juvenile offender for the maximum imprisonment term imposed is \$20,639 (\$112.78 per day x 6 months (or 183 days) if housed in a local detention center classified as pending secure placement. The cost per juvenile offender under this proposed legislation, notwithstanding certain exceptions, for the maximum imprisonment term imposed is \$1,128 (\$112.78 x 10 days = \$1,128) if housed in a local detention center classified as pending secure placement.

NOTE: Currently, OJJ has no youth in secure care facilities where possession of alcohol is the only charge. In the past six (6) years, OJJ had three (3) custody youth who had this charge, but those youth likely had other charges (multiple petitions).

To the extent impacted juveniles are adjudicated to a local juvenile justice organization, these entities may realize an indeterminable decrease in local funds expenditures in situations where juveniles sentences are reduced to ten (10) days.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure. The proposed legislation retains present law where the penalties of a maximum fine of \$100 is not changed.

Senate Dual Referral Rules House

13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {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

Evan Brasseaux
Staff Director